

**In the Matter Of:**

**UNITED STATES vs STATE OF GEORGIA**

1:16-CV-03088-ELR

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**BROOKE COLE**

*October 27, 2022*

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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
United States of America, No.  
Plaintiff, 1:16-CV-03088-ELR  
vs.  
State of Georgia,  
Defendant.  
~~~~~

VIDEOTAPED DEPOSITION OF  
BROOKE COLE  
OCTOBER 27, 2022  
9:20 a.m.  
435 2nd Street, Suite 500  
Macon, Georgia

Marcella Daughtry, RPR, RMR  
Georgia License No. 6595-1471-3597-5424  
California CSR No. 14315

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APPEARANCES OF COUNSEL

For the Plaintiff:

U.S. DEPARTMENT OF JUSTICE  
MS. KELLY GARDNER WOMACK (VIA ZOOM)  
MS. RENEE WOHLLENHAUS (VIA ZOOM)  
MS. FRANCES COHEN (VIA ZOOM)  
MS. MICHELLE TUCKER (IN PERSON)  
MS. CLAIRE CHEVRIER (IN PERSON)  
MS. VICTORIA LILL (VIA ZOOM)  
950 Pennsylvania Avenue, N.W.  
Washington, D.C. 20579  
202.305.6630  
kelly.gardner@usdoj.gov  
michelle.tucker@usdoj.gov  
claire.chevrier@usdoj.gov

For the Defendant:

ROBBINS FIRM  
MR. JAVIER PICO-PRATS (VIA ZOOM)  
MS. ANNA EDMONDSON (VIA ZOOM)  
MS. DANIELLE HERNANDEZ (VIA ZOOM)  
500 14th Street, NW  
Atlanta, Georgia 30318  
404.856.3252  
dhernandez@robbinsfirm.com  
jplicoprats@robbinsfirm.com

For the Witness and Elam Alexander Academy:

JONES CORK, LLP  
MS. SYDNEY M. SOLOMON  
435 Second Street, Suite 500  
Macon, Georgia 31208  
478.745.2821  
sydney.solomon@jonescork.com

Also Present:

Sandra LeVert (via Zoom)  
Maya Carter, videographer (in person)  
Stacey Suber-Drake (via Zoom)

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1 THE VIDEOGRAPHER: Today's date is  
2 October 27th, 2022, and the time is 9:20 a.m. This will  
3 be the videotaped deposition of Brooke Cole in the matter  
4 of the United States of America versus State of Georgia  
5 taken at 435 2nd Street, Suite 500, in Macon, Georgia.

6 Will counsel please identify themselves for the  
7 record.

8 MS. TUCKER: Hi. Michelle Tucker for the  
9 United States.

10 MS. SOLOMON: Sydney Solomon for the Elam  
11 Alexander GNETS program.

12 MS. CHEVRIER: Claire Chevrier for the United  
13 States.

14 THE VIDEOGRAPHER: Would the court reporter  
15 please swear in the witness.

16 MS. TUCKER: Is that okay? Would you want  
17 folks to?

18 MS. SOLOMON: Let's have everyone on Zoom  
19 identify themselves --

20 MS. TUCKER: Okay. Yeah, no problem.

21 MS. SOLOMON: -- as well, since they are  
22 attending.

23 MS. EDMONDSON: Anna Edmondson on behalf of the  
24 State.

25 THE VIDEOGRAPHER: Would the court reporter



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1 please swear in the witness.

2  
3 BROOKE COLE,  
4 called as a witness herein, having been first duly sworn  
5 by the shorthand reporter to speak the truth and nothing  
6 but the truth, was examined and testified as follows:  
7

8 EXAMINATION

9 BY MS. TUCKER:

10 Q Good morning, Ms. Cole.

11 A Good morning.

12 Q Thank you for coming in today.

13 Again, this is the deposition of Brooke Cole in  
14 the lawsuit United States versus Georgia, Case Number  
15 1:16-CV-03088 in the US District Court for the Northern  
16 District of Georgia.

17 And for the record, I'd like to reintroduce  
18 myself again. My name is Michelle Tucker, and I'm a  
19 senior trial attorney at the U.S. Department of Justice,  
20 Civil Rights Division, Educational Opportunity Section,  
21 and I represent the United States in this lawsuit, and  
22 I'm taking your deposition today.

23 A Okay.

24 Q Would you please state and spell your full name  
25 for the record.

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1 A Uh-huh. It's Brooke Cole, B-r-o-o-k-e C-o-l-e.

2 Q Okay. Great.

3 I'm sure your attorney has explained much of  
4 this to you, but we're just going to have a conversation  
5 today. Basically, I'm going to ask you questions, and  
6 then your job is to answer honestly and completely.

7 Okay?

8 A Okay.

9 Q You were just sworn to tell the truth by the  
10 court reporter. That oath you took is the same oath that  
11 you would take if you were testifying in a court of law  
12 and puts you under that same obligation to tell the truth  
13 that you would be in court.

14 A Okay.

15 Q Do you understand that?

16 A Yes.

17 Q Okay. My questions and your answers will be  
18 recorded by the court reporter. Please understand that  
19 you will need to speak clearly and answer all questions  
20 orally so the court reporter can capture your answers.  
21 For example, she's not going to be able to record a head  
22 nod or a -- a no, a head shake that way.

23 A I understand.

24 Q Okay. The other thing that you and I will have  
25 to work to do is to avoid talking over one another. I

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1 will do my best to not interrupt you when you're  
2 answering, and I will ask that you let me -- try to let  
3 me finish my question even if you think you know the  
4 answer just so it's on -- on the record.

5 A Okay.

6 Q If at any point you don't know the answer -- or  
7 you don't understand a question, just feel free to stop  
8 me and let me know.

9 A Okay.

10 Q Okay. Note that your attorney will  
11 occasionally -- may occasionally object to my questions.  
12 This is to put the objection and the issue on the record.  
13 It doesn't mean that you shouldn't answer the question.  
14 Unless your counsel tells you not to answer, you can go  
15 ahead and do so.

16 Do you understand?

17 A Yes.

18 MS. TUCKER: Okay. And for the record, United  
19 States has come to an agreement with counsel to reserve  
20 all objections except as to form and privilege.

21 MS. SOLOMON: Yes, that's agreeable.

22 MS. TUCKER: Thank you.

23 Q BY MS. TUCKER: Okay. Ms. Cole, if you want to  
24 take a break for any reason, that's fine. Just --

25 THE WITNESS: You have a restart to install

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1 newest Windows features.

2 MS. SOLOMON: I'm just going to say remind me  
3 later.

4 THE WITNESS: Okay. Sorry.

5 MS. SOLOMON: Thank you. Is that okay?

6 MS. TUCKER: Okay. Great.

7 Q BY MS. TUCKER: Thank you for flagging that.

8 A Yeah, of course. I was like, ut-oh.

9 Q Yeah, and that was your -- that was your first  
10 break, yeah. But if you do want to take a break for any  
11 reason, that's fine. I just ask if there is a question  
12 pending or if you are in the middle of an answer, that  
13 you finish answering, and we'll try to find the best time  
14 to take a break.

15 A Okay.

16 Q Sometimes it happens that you will give an  
17 answer as completely as you can at one moment, and then  
18 five minutes later or an hour later you want to go back  
19 and revisit it. That's totally, completely fine. Just  
20 let me know.

21 A Okay.

22 Q How are you feeling today?

23 A Good.

24 Q Good. Is there any reason that you would not  
25 be able to answer my questions fully and truthfully

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1 today?

2 A No.

3 Q For example, are you taking any medications  
4 today that would inhibit your ability to answer my  
5 questions?

6 A No.

7 Q Okay. Good. Do you have any questions for me  
8 before we proceed?

9 A I do not.

10 Q Great. Okay.

11 MS. TUCKER: I'd like the court reporter to  
12 mark this document as Plaintiff's Exhibit 560.

13 (Plaintiff's Exhibit 560 was marked for  
14 identification.)

15 Q BY MS. TUCKER: Ms. Cole, this is a certificate  
16 of service filed with the court that states the United  
17 States served a subpoena on October 7th, 2022 for your  
18 testimony at a deposition in connection with the lawsuit  
19 against the State of Georgia related to the Georgia  
20 Network for Educational and Therapeutic Support program,  
21 or commonly referred to as the GNETS program.

22 Have you seen this attached subpoena to  
23 testify?

24 A Yes.

25 Q Okay. When did you see it?

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1 A It was e-mailed to me probably shortly after  
2 you sent it to Sydney.

3 Q And who e-mailed it to you?

4 A Sydney or Canon. I can't remember. One of the  
5 two.

6 Q And you are referring to Sydney Solomon?

7 A Yes.

8 Q And Canon?

9 A Hill.

10 Q Hill. Your attorneys?

11 A Yes.

12 Q Okay. And what is your understanding of what  
13 this lawsuit is about?

14 A My understanding is that it's against the State  
15 of Georgia regarding the services provided through GNETS  
16 for segregation based on disability, and that's pretty  
17 much what I understand.

18 Q Okay.

19 A Yeah.

20 Q And how did you come to understand that?

21 A Oh, this -- I think it started right at eight  
22 years ago when I became director, and I believe that's  
23 when it started, and came through the State Department.  
24 DOE let us know, and then that's when the visits began.  
25 Probably eight or nine years ago when I think about it

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1 now, yeah.

2 Q Do you -- who from the DOE -- by "DOE," do you  
3 mean the Georgia Department of Ed?

4 A Yes.

5 Q Okay. And who advised you eight years ago?

6 A I believe at the time -- I don't know who the  
7 State director was. So it was Lara Sims who was the  
8 director when this first began. She retired. I don't  
9 remember who the State director was, but then Nakeba  
10 Rahming, I believe was her last name, was the State  
11 director that kind of oversaw the GNETS program, and  
12 she's the one that initially walked us through the  
13 process.

14 Q And by State director, you mean --

15 A For G --

16 Q -- for GNETS at the Georgia Department of --

17 A Yes.

18 Q -- Ed?

19 A Yes.

20 Q Thank you.

21 Have you read any court filings in connection  
22 with this lawsuit?

23 A Initially I did.

24 Q When was the last time then, by "initially"?

25 A When this first began, and I became director in

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1 the first round of people --

2 Q Okay.

3 A -- coming through. And then I want to say  
4 right before you guys came last year, I think I did a  
5 little review of the documentation.

6 Q And when was that last year?

7 A You guys came in November of last year, I  
8 believe.

9 Q Okay.

10 A Four days in November.

11 Q So November of 2021?

12 A Yes.

13 Q What filings did you read?

14 A The initial. It was like nine years ago.

15 Q Uh-huh.

16 A I think that's the only thing I've reviewed.

17 Q So a complaint?

18 A Yes. Yeah, there you go. Uh-huh.

19 Q And did you receive that complaint from whom?

20 A Probably Nakeba.

21 Q Okay.

22 A Probably let us -- with the Georgia Department  
23 of Education probably sent it all to us when this first  
24 came out.

25 Q Okay. Thank you.



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1 So you found it in your e-mail?

2 A Yes. I have little folders in my OneDrive.

3 Q Thank you.

4 Do you have a folder connected to this lawsuit?

5 A Yes, with all of the information I provided to  
6 my attorneys to send to you guys when you requested  
7 information in October of last year.

8 Q Okay. Thank you, Ms. Cole.

9 And I'm correct that you're being represented  
10 by Ms. Sydney Solomon?

11 A Yes.

12 Q For the purposes of the deposition today?

13 A Yes.

14 Q Did you talk to anyone to prepare for the  
15 deposition today?

16 A I've talked with Sydney, and I believe you guys  
17 deposed another GNETS director, Whitney Braddock. She  
18 let me know she was deposed. And that's it.

19 Q Okay. When did you talk to Whitney Braddock?

20 A Three weeks, four weeks ago.

21 Q Okay. About how long did you talk to Whitney?

22 A Maybe a few minutes. She just told me that she  
23 was deposed, and I think it was like right at seven  
24 hours, pretty basic information that you guys asked.

25 Q Did she tell you any questions that to expect?

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1 A Just about she did tell me that you guys, I  
2 think, asked her what FTE stood for, and she said I don't  
3 know. So it was just kind of that kind of conversation.

4 Q Got it.

5 A And I said, How do you not know. Yeah, it was  
6 that kind of thing.

7 Q And which program does Whitney --

8 A Cedarwood.

9 Q Cedarwood. And you said you spoke to  
10 Ms. Solomon?

11 A Uh-huh.

12 Q When was that?

13 A Last Friday.

14 Q Okay. And how long did you speak to  
15 Ms. Solomon?

16 A About an hour and a half, two hours, maybe.

17 Q Okay. And did you come to this office?

18 A I did.

19 Q Okay. Did you do anything to prepare for  
20 today?

21 A I reviewed some of the documents that I  
22 provided to you guys in October of last year.

23 Q October 2021?

24 A Yes.

25 Q Okay. Was anyone else present when you met

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1 with Sydney, Ms. Solomon?

2 A Not for that part, no, ma'am. We were meeting  
3 about some other issues prior to.

4 Q Okay.

5 A Uh-huh.

6 Q And did you read any deposition transcripts in  
7 this litigation prior to today?

8 A No, ma'am.

9 Q Okay. And did you talk to anyone else about  
10 the deposition?

11 A Outside of my own leadership team, no, just  
12 that -- you know, that I was being deposed.

13 Q Okay.

14 A That was it.

15 Q Who is your leadership team?

16 A So those are my coordinators, so that would  
17 be -- do you want names?

18 Q Yes.

19 A So Shondonette Horton, who is my assistant  
20 director; Tonesha Battle; SaraRose Porter Field --  
21 Fields.

22 (Court reporter clarification.)

23 THE WITNESS: Tonesha Battle, SaraRose Fields,  
24 Steven Grant, Leah Watson, Angel Helms, and Doug Ward. I  
25 have six coordinators.

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1 Q BY MS. TUCKER: Okay. What did you tell your  
2 coordinators?

3 A That I was being deposed.

4 Q Okay.

5 A Uh-huh.

6 Q Did they ask any questions?

7 A No. No. Just said good luck.

8 Q Did you speak with anyone at the Georgia  
9 Department of Ed regarding this deposition?

10 A No, ma'am.

11 Q With the Bibb County School District?

12 A Jamie Cassady knows that I am being deposed,  
13 and he is my assistant superintendent.

14 Q Thank you.

15 A Uh-huh.

16 Q And anyone with the Middle Georgia RESA?

17 A No, ma'am.

18 Q Okay.

19 A I had to think on that one.

20 Q Apart from documents that may have been shown  
21 to you by counsel or the documents that you produced last  
22 October, did you review any other documents prior to  
23 today?

24 A No, ma'am.

25 Q Okay. Did you bring any documents with you?

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1 A No, ma'am.

2 Q Did you ask anyone about documents that may be  
3 relevant for today?

4 A No, ma'am.

5 Q Okay. Anything else to prepare?

6 A No, ma'am.

7 Q Have you ever been deposed before, Ms. Cole?

8 A I have not.

9 Q Have you ever been a plaintiff in a lawsuit?

10 A No.

11 Q Have you ever been a defendant in a lawsuit?

12 A No.

13 Q Thank you.

14 A Uh-huh.

15 Q So there are a few acronyms and definitions  
16 that I'd like to go over to confirm that we have the same  
17 understanding --

18 A Okay.

19 Q -- for today.

20 When I refer to "GaDOE," you understand that I  
21 mean the Georgia Department of Ed, correct?

22 A Yes.

23 Q When I refer to "GNETS" or "GNETS program," I'm  
24 referring to the Georgia Network for Educational and  
25 Therapeutic Support, correct?

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1 A Yes.

2 Q When I refer to the "regional GNETS program,"  
3 I'm referring to one of the 24 regional GNETS programs  
4 across the state of Georgia, correct?

5 A Yes.

6 Q When I refer to "Elam Alexander Academy," I'm  
7 referring to one of the regional GNETS programs that  
8 serves students from Bibb, Crawford, Houston, Jasper,  
9 Jones, Monroe, Peach, and Twiggs counties, either in GNET  
10 centers or at GNETS school-based locations; correct?

11 A Yes.

12 Q When I refer to a "GNETS center" or "centers,"  
13 I'm referring to a standalone GNETS location, correct?

14 A Correct.

15 Q When I refer to a "GNETS school-based  
16 location," I am referring to a GNETS location that's  
17 based in a general education setting, correct?

18 A Correct.

19 Q When I refer to "general education setting,"  
20 I'm referring to a public school in Georgia where  
21 students with emotional and behavior disorders and other  
22 behavioral health conditions receive instruction and  
23 services alongside services -- students who do not have  
24 disabilities, correct?

25 A Correct.

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1 Q When I refer to "EBD," I am referring to  
2 emotional and behavior disorders, correct?

3 A Correct.

4 Q When I refer to "LEA," I am referring to a  
5 local education agency or school district, correct?

6 A Correct.

7 Q When I refer to "SEA," I'm referring to the  
8 State Education Agency, correct?

9 A Correct.

10 Q When I refer to a "RESA," I'm referring to the  
11 Regional Education Service Agency, correct?

12 A Correct.

13 Q When I refer to an "IEP," I'm referring to an  
14 individual education program, correct?

15 A Correct.

16 Q When I refer to a "BIP," I am referring to a  
17 behavior intervention plan, correct?

18 A Correct.

19 Q And when I refer to an "FBA," I am referring to  
20 a functional behavior assessment, correct?

21 A Correct.

22 Q Thank you, Ms. Cole.

23 A Uh-huh.

24 Q And that was a few to get through.

25 Okay. What college did you graduate from?

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1 A For my undergraduate, I graduated from Georgia  
2 College.

3 Q Georgia College. And where is that located?

4 A Milledgeville.

5 Q And what year did you graduate from undergrad?

6 A 2004.

7 Q And in what field?

8 A Psychology.

9 Q Psychology. Great.

10 And then do you have any other education after  
11 that?

12 A I do. I have a master's in educational  
13 leadership from Columbus State.

14 Q Uh-huh.

15 A In Columbus. And a specialist in educational  
16 leadership from Columbus State.

17 Q What years were both of those?

18 A I knew you were going to ask me that. I want  
19 to say -- it's approximate, because I can't remember too  
20 much. 2011, I want to say, for my -- no.

21 Q I don't know.

22 A 2009 for my master's. Don't quote me on this,  
23 but I'm totally being quoted, and like -- like 2013 or so  
24 for specialist.

25 Q Okay. At Columbus State?



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1 A Yes. Yeah.

2 Q Do you hold any additional professional  
3 certifications?

4 A No, ma'am.

5 Q Okay. And Ms. Cole, are you currently  
6 employed?

7 A Yes.

8 Q Yes. And by who?

9 A Bibb County School District.

10 Q And what is your job title?

11 A I am the GNETS director.

12 Q For which program?

13 A Elam Alexander Academy.

14 Q And when did you assume this position?

15 A I became the director -- this is my eighth  
16 year.

17 Q So let's do the math.

18 A Yeah. Somebody that's good at math.

19 Q That would be six years. 2014?

20 A Sure. Sounds good.

21 Q I think that -- I think that math checks.

22 A Okay.

23 Q 2014 sounds right?

24 A I think so.

25 Q Okay. And who held the position before you?

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1 A Lara Sims.

2 Q Got it.

3 Do you know how long Ms. Sims held --

4 A She was the director for eight or nine years.

5 Q Eight or nine years. Okay.

6 Who do you report to?

7 A Multiple people. So for Bibb County, I report  
8 to Jamie Cassady. He's my direct supervisor. And then I  
9 also -- well, I don't report to other superintendents,  
10 per se. I work with -- alongside of those -- those LEAs.  
11 And then I also -- I don't know if you would say report  
12 to, but I do -- I guess you can -- Vickie Cleveland and  
13 LaKesha Stevenson.

14 Q Okay.

15 A Not in an evaluatory kind of way, though.

16 THE REPORTER: Not in a what way?

17 THE WITNESS: Like an eval -- evaluatory way,  
18 evaluative way. They don't evaluate me. There you go.

19 Q BY MS. TUCKER: They don't evaluate you, but  
20 they -- you report to them?

21 A Correct.

22 Q Okay. And, okay, earlier you said James  
23 Cassady is the assistant superintendent?

24 A Jamie.

25 Q Jamie.

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1 A Uh-huh.

2 Q Thank you.

3 A You're welcome.

4 Q Assistant superintendent for Bibb County?

5 A Correct.

6 Q And Jamie Cassady does evaluate you?

7 A Yes.

8 Q Okay. But you report also to Vickie Cleveland  
9 and LaKesha Stevenson?

10 A Correct.

11 Q And who are Vickie Cleveland and LaKesha  
12 Stevenson?

13 A So Vickie is the program specialist. I think  
14 that's what the GaDOE, Georgia DOE calls them for GNETS,  
15 and then LaKesha is her right-hand lady.

16 Q So they are both at GaDOE?

17 A Yes.

18 Q Okay. How often do you report to Vickie  
19 Cleveland and LaKesha Stevenson?

20 A We have GNETS directors meetings every month or  
21 so.

22 Q Uh-huh.

23 A And so we do that.

24 And then if I have anything I need to talk to  
25 them about, you know, I reach out to them or they reach

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1 out to me if there's some issue or clarifying kind of  
2 questions.

3 Q How often are you evaluated by Jamie Cassady?

4 A He evaluates me through LKES, so it's yearly,  
5 the evaluation process.

6 Q Anyone else that you report to?

7 A No, ma'am.

8 Q Earlier you mentioned six site coordinators,  
9 correct?

10 A No. I said I have six coordinators.

11 Q Six coordinators?

12 A Not all of them are site coordinators.

13 Q Okay. Six coordinators. And --

14 A Uh-huh.

15 Q -- those individuals are who report to you?

16 A Yes.

17 Q Does anyone else report to you?

18 A All the teaching staff. I mean, there's a  
19 trickle-up process. Of course, they answer to their  
20 coordinators, and then there is me.

21 Q So can you explain the structure of you, the  
22 coordinators, and --

23 A Yes.

24 Q -- the teaching staff?

25 Thank you.

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1           A    So I'm the director. I oversee the entire  
2   program. Shondonette Horton is the assistant director.  
3   She assists with that, but she also is housed at the  
4   adolescent services where we were yesterday at Southwest.  
5   So she oversees that site.

6           Tonesha Battle is a compliance coordinator.  
7   She oversees all the IEP processes for the program.

8           Steven Grant is my satellite coordinator, so he  
9   oversees those satellite classes, but he also manages the  
10  entire intake process; kids moving in the program, out of  
11  the program.

12          Q    Uh-huh.

13          A    Doug Ward is an IEP compliance coordinator as  
14  well, and so he assists Ms. Battle with all compliance.

15          At the Burke Campus where we were yesterday, I  
16  have two site coordinators. I have Leah Watson that  
17  oversees the GAA program, and then Angel Helms that  
18  oversees the Milestones.

19          Q    Okay.

20          A    And then I have SaraRose Fields, who is my  
21  coordinator for psychological services, and she does the  
22  work with like school psychology. She does all of my  
23  reports and things of that nature.

24          Q    How often do you meet with your coordinators?

25          A    Weekly.

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1 Q Weekly. And do you evaluate each of those  
2 coordinators?

3 A I do.

4 Q You mentioned the teaching staff earlier. Do  
5 you also evaluate the teaching staff or is that  
6 delegated?

7 A It's both. So we have close to 30, 31, 32  
8 teachers. So the coordinators oversee and do that TKES  
9 process, but Shondonette and I are both involved in that,  
10 too. So I may take over some of their observations.  
11 I -- I kind of observe, you know, throughout the process  
12 and the settings.

13 Q Okay. Thank you.

14 Earlier we spoke about the RESA. Do you have a  
15 work relationship with the RESA?

16 A I do.

17 Q Okay. What is the name of the RESA you work  
18 with?

19 A Middle Georgia.

20 Q Middle Georgia. What -- can you describe your  
21 working relationship?

22 A It's collaborative. They hold collaborative  
23 communities where they bring us all together once a month  
24 for training and information, things like that. They  
25 provide, you know, training resources, things to that

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1 nature. It's a good working relationship.

2 Q Do you have a main point of contact?

3 A Uh-huh. Dr. James.

4 Q Dr. James?

5 A Uh-huh.

6 Q Do you report to Dr. James?

7 A I do not.

8 Q Does Dr. James report to you?

9 A No.

10 Q And you said your evaluation with the assistant  
11 superintendent, Jamie Cassady, was yearly?

12 A Yes.

13 Q Okay. And then how -- can you describe the  
14 evaluation process?

15 A So that's under Leader Keys. So you have a  
16 pre-evaluation conference. You do your self-assessment.  
17 You review it with him, establish your goals for the  
18 upcoming school year. There's an optional formative  
19 process where they can actually do a formal evaluation on  
20 you, where they do the ten standards -- or I think it's  
21 eight. And then we have meetings throughout the year.  
22 And then at the very end, we review the documentation to  
23 see if you met your goal.

24 Q Okay. And when? Is it the end of the school  
25 year or end of the calendar year?

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1 A So no. It's probably in April, because  
2 everything needs to be done by a certain date in May.  
3 Because it's all uploaded --

4 Q Okay.

5 A -- through the TKES and LKES platform and  
6 Infinite Campus and SLDS.

7 Q And then does that, TKES and LKES, does that  
8 then go to the State or?

9 A Yes.

10 Q Does anyone else provide feedback on your  
11 evaluation?

12 A Not on the LKES evaluation, no. There's been  
13 times that he may reach out to other special ed directors  
14 or superintendents to see, you know, their take on it,  
15 but that's -- that's up to him if he chooses to do that.

16 Q Has he reached out to GaDOE?

17 A I have no idea.

18 Q Okay. So you are the director of Elam  
19 Alexander Academy?

20 A Yes.

21 Q And you have been for eight years?

22 A Yes.

23 Q What are your job responsibilities?

24 A Everything. I'm just kidding.

25 Q Can you elaborate?



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1           A    Yes, I can. I oversee the grant process, how  
2   we manage our money, hiring, firing, anything having to  
3   do with personnel. I take a close look -- I'm in  
4   constant communication with Mr. Grant about where we look  
5   at with our prospective student log. I may participate  
6   in IEP meetings, evaluate teachers, coordinators. If  
7   there is any major discipline issues, I get involved with  
8   that. Anything dealing with manifestation, discipline  
9   reviews, evidentiary hearings. I'm sure I'm forgetting  
10  some, but anything to do with professional development  
11  that we provide in-house.

12           Q    Okay.

13           A    Those type of things.

14           Q    Got it. Thank you.

15                   Do you serve on any committees or working  
16  groups as part of your role as director?

17           A    Sure. With Bibb County, I serve on the  
18  district leadership team for PBIS. I sit on the school  
19  transformation climate team for Bibb County. I think  
20  that's it.

21           Q    Okay. How often do those committees meet?

22           A    Probably once every three months or so.

23           Q    Okay. Do you sit on any committees through the  
24  RESA?

25           A    No.

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1 Q Okay. Do you sit on any committees with GaDOE?

2 A No.

3 Q Do you sit on any committees through local  
4 community organizations?

5 A No.

6 Q Okay. Earlier you mentioned that you report to  
7 Vickie Cleveland and LaKeshia Stevenson with GaDOE?

8 A Uh-huh.

9 Q And you said that you communicate with them  
10 regularly, correct?

11 A Correct.

12 Q How frequently would that be?

13 A It's kind of as needed. If there is something  
14 I'm working on and need them to be aware or need their  
15 support with, I reach out. We just met, had a GNETS  
16 directors meeting last week -- or no, Monday. They, you  
17 know, reviewed the grant app with me, and we'd go  
18 kickback back and forth a couple of times. Anything  
19 doing with the strategic plan. So, I mean, probably once  
20 or -- once a month or so.

21 Q Once a month?

22 A More if need be, or less if need be.

23 Q And are your communications via e-mail or phone  
24 call or?

25 A All. So we have our meeting -- our

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1 leadership -- I mean our GNETS meetings, you know,  
2 through Zoom. And then if I need something, I just call  
3 or I e-mail. Most of the time I just pick up the phone  
4 and call.

5 Q You had mentioned that you communicate them --  
6 with them as needed?

7 A Uh-huh.

8 Q When -- can you describe an instance where they  
9 would --

10 A Yeah.

11 Q It would be needed?

12 A So a big push for our program really for the  
13 last eight years is to move a certain population of  
14 student back to the LEA, and so that's something that I  
15 want them to be aware of if anything ever trickles and  
16 say I've irritated, you know, a special ed director or  
17 something like that, if I rub somebody the wrong way.

18 Q What certain population are you referring to?

19 A To the GAA students.

20 Q And what does "GAA" refer to?

21 A Georgia Alternate Assessment.

22 Q Are there any other meetings that you attend  
23 regularly as part of your job responsibilities?

24 A Outside of conferences, no.

25 Q Okay. What type of conferences do you attend?

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1 A G-CASE, the Council for Administrators of  
2 Special Education. Either myself or I send someone to a  
3 -- the PBIS conference. Any legal conference that may be  
4 held through GAEL. Those are pretty typical for me.

5 Q What does GAEL stand for?

6 A Georgia Administrator -- something -- for  
7 Educational Leadership.

8 Q Thank you.

9 A Uh-huh.

10 Q And earlier you mentioned that you attend a  
11 GNETS director meeting that was last -- that was just  
12 this Monday?

13 A I think it was Monday, yes. Monday or Tuesday.

14 Q How frequent are those meetings?

15 A Probably once every two to three months.

16 Q Has that always been the case?

17 A They used to be more frequent, I would say.

18 Q When did the change happen?

19 A PreCOVID, so it was preCOVID. We would try --  
20 it was more face to face then.

21 Q Uh-huh. Since March 2020, have they been  
22 virtual?

23 A Mostly, yes.

24 Q Was this past Monday's meeting virtual?

25 A Yes.

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1 Q Okay. What is discussed at a GNETS director  
2 meeting?

3 A Usually any sort of PL we may need from the  
4 Department of Education, be about prior written notice or  
5 testing type things like the Alternate Assessment, GAA  
6 2.0. I think that was what Tuesday was. Anything doing  
7 with FTE coding, things like that. We also talk about  
8 strategic plan type items, like if we're implementing  
9 restorative practices or MindSet or i-Ready. Academic  
10 interventions, things like that.

11 Q Who leads those meetings?

12 A Vickie and LaKesha, and then they will have  
13 guest speakers come in.

14 Q Who are the guest speakers?

15 A Usually from the Department of Ed. Like they  
16 are specialists for whatever content that is.

17 Q And from the Georgia Department of Ed?

18 A Yes.

19 Q Okay. How long do these meetings last?

20 A Usually an hour and a half.

21 Q Is there a time to ask questions during these  
22 meetings?

23 A Yes.

24 Q Okay.

25 A Uh-huh.

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1 Q And everyone has the benefit of hearing the  
2 responses and feedback from the Georgia Department of  
3 Ed --

4 A Yes.

5 Q -- on it?

6 A Yes.

7 Q What type of training have you received as part  
8 of -- as your director role?

9 A For the actual position of director?

10 Q Uh-huh.

11 A It's kind of -- I mean, they provide support.  
12 I wouldn't say training, per se.

13 Q Who is "they"?

14 A Department of Education, Georgia Department of  
15 Education. I wouldn't say training, per se.

16 Q Uh-huh. Earlier you described it as  
17 professional learning?

18 A Right. Like they'll provide support if you're,  
19 you know, first time learning how to do a grant  
20 application, things of that nature.

21 Q Okay.

22 A Uh-huh.

23 Q Have you received training from anyone else  
24 about the role of director?

25 A So I -- I -- I fall up under an LEA, so I

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1 receive a lot of training through -- like we have monthly  
2 principals meetings and directors meetings, and I'm in  
3 that with Bibb County. So that's where a lot of my  
4 training comes from, like how you evaluate a teacher and  
5 things like that, discipline processes.

6 Q And that's through Bibb County?

7 A Yes.

8 Q Any trainings from the RESA?

9 A If we sign up for it, yeah.

10 Q Okay.

11 A It's as needed.

12 Q Can you give me an example of the type of  
13 training --

14 A Uh-huh.

15 Q -- that the RESA would provide?

16 A They do a lot of training on like mental  
17 health, restorative practices. Let me think back.  
18 They -- I wouldn't say they facilitate it. Like for  
19 anything dealing with TKES or Teacher Keys. I look to  
20 them for a lot of the training professional learning.

21 Q Okay.

22 A Because we can just sign up and go from there.

23 Q Is it in person or do they come to you? How  
24 does that work?

25 A It depends on the training and what's going on.

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1 Sometimes it's virtual. Sometimes it's in person.  
2 Sometimes it's in a separate location, because it's not  
3 just of Bibb County. It's, you know, the entire RESA,  
4 every one they cover, so it depends.

5 Q Do you know how many counties they cover?

6 A The same as me, I believe.

7 Q Okay.

8 A Uh-huh.

9 Q The same eight counties?

10 A Uh-huh. I believe so.

11 Q Okay. And then what type of trainings or I  
12 guess -- what type of trainings have you received from  
13 GaDOE?

14 A Ooh. Probably a couple of years ago we were  
15 working on trauma-informed care. They -- they kind of  
16 facilitated that training. But I can't name of anything  
17 right off the top of my head about anything else.

18 Q Have you ever been asked to prepare reports or  
19 consult with anyone on the governor's staff?

20 A No.

21 Q How about for the State legislature?

22 A No.

23 MS. TUCKER: Okay. I'd like the court reporter  
24 to mark this document as Plaintiff's Exhibit 561.

25 (Plaintiff's Exhibit 561 was marked for



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1 identification.)

2 Q BY MS. TUCKER: Okay. This is a web page  
3 within the Bibb County School District's website, and the  
4 top of the web page reads, "Elam Alexander Academy  
5 Administrative Team." And this was captured from --  
6 captured on October -- Monday, October 3rd, 2022.

7 Ms. Cole, do you recognize this web page?

8 A I do.

9 Q Okay. Do you see your biography at the top?

10 A I do.

11 Q Okay. Can you review that for me, please?

12 A Yes. It's very small.

13 Q I know. If you need us to --

14 A No, you are good.

15 Q Okay.

16 A I can squint.

17 Q Okay.

18 A Oh, it has the date. See, I was good for the  
19 degrees. You didn't need me after all.

20 Q Is there anything you would want to correct in  
21 your biography?

22 A Let's see. No.

23 Q Okay. So it's -- I believe it says that you've  
24 been with the Elam Alexander Academy for 18 years. Would  
25 that --

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1 A This hadn't been updated since last year.

2 Q Yeah. Okay. So would it be 19 now?

3 A This is my 19th year.

4 Q Okay.

5 A Yeah, because this has not been updated,  
6 because these are not all -- some of these people have  
7 moved on.

8 Q Okay.

9 A Yeah, this is not updated.

10 Q How about, why don't we go into that point  
11 before I ask these next questions. Who -- let's look at  
12 this document together. Who has moved on?

13 A Okay.

14 Q And who -- and if someone has a different  
15 position, let me know.

16 A Sure.

17 So Shondonette is the same.

18 Janae Sams has moved on. She works for Bibb  
19 County PEC department.

20 Q What is the PEC department?

21 A Program for Exceptional Children.

22 Q Okay. Who is in her role now?

23 A No one.

24 Q Are you looking to fill it?

25 A No, ma'am.

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1 Q Did someone else take the responsibilities?

2 A Right. So some of the people that are not here  
3 anymore we've kind of just flushed it all out.

4 Q Okay.

5 A Uh-huh. Divide and conquer.

6 Q I understand.

7 What about on the next page?

8 A Okay. So those are all the same.

9 Q Okay. Just to confirm, so Leah Watson is the  
10 same?

11 A No, she has had a change. She is not just the  
12 coordinator of the Burke Campus. She is the coordinator  
13 of only GAA part of the Burke Campus.

14 Q Okay. And then moving down, Steven Grant is  
15 the same?

16 A Uh-huh.

17 Q Doug Ward is the same?

18 A No.

19 Q Okay.

20 A He moved up under IEPs for compliance --

21 Q Okay.

22 A -- coordinator, working under Tonesha Battle.

23 Q Okay. So not only at the Burke Campus?

24 A Correct.

25 Q Okay. And then you just mentioned Tonesha

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1 Battle?

2 A Right, and her position has changed.

3 Q Okay.

4 A Compliance coordinator.

5 Q Thank you.

6 A Uh-huh.

7 Q And then SaraRose Fields?

8 A She's the same, coordinator for.

9 Q Okay. And then it looks like they printed some  
10 of the pictures again. You know sometimes when you --

11 A Yeah.

12 Q -- print a website?

13 And then Stacy Kramer?

14 A She is no longer with us.

15 Q And who holds that position?

16 A No one.

17 Q Is this one of the responsibilities that has  
18 been flushed out like you said?

19 A Yeah. Yes.

20 Q Thank you.

21 A Uh-huh.

22 Q So looking at your biography, it seems that you  
23 worked at Elam Alexander Academy in several roles?

24 A Yes.

25 Q Yes. Do you see where it reads that you have

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1 served as support therapist?

2 A Uh-huh.

3 Q Educational therapist?

4 A Yes.

5 Q Teacher with special duties?

6 A Correct.

7 Q Assistant coordinator?

8 A Yes.

9 Q And program coordinator?

10 A Yes.

11 Q And also director?

12 A Yes.

13 Q Okay. I'd like to go through each of these  
14 positions.

15 A Okay.

16 Q But I want to start with director and then work  
17 our way backwards.

18 A Okay.

19 Q So when -- what year did you begin as director  
20 again?

21 A Eight years ago.

22 Q Eight years ago. Oh, right, we did that.

23 A Yeah, we did the math.

24 Q Okay. And where are you located, your office  
25 located?

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1 A My office is located on -- at the Burke Campus  
2 on 2nd Street.

3 Q And has it always been that way since you've  
4 been director?

5 A Yes.

6 Q Okay. Okay. Then what position did you hold  
7 right before director?

8 A So I was the program coordinator.

9 Q Okay.

10 A But it was like what the work Steven's doing.  
11 It was like I -- I oversaw the satellite classes.

12 Q Okay.

13 A Uh-huh.

14 Q And what years did -- were you program  
15 coordinator?

16 A One year.

17 Q One year?

18 A Yeah.

19 Q Okay. And who was your employer at that time?

20 A Bibb County.

21 Q Okay. And what were your job responsibilities  
22 as --

23 A So we had satellite classrooms, so I managed  
24 those. I did the IEP meetings with kids moving in and  
25 out. Evaluated the teachers.

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1 Q And who did you report to?

2 A Lara Sims.

3 Q Lara Sims. How many satellite programs did you  
4 have when you served as program coordinator?

5 A I have to think about that one. I can  
6 guesstimate.

7 Q Satellite sites, I guess?

8 A Yes. Well, there was just a satellite  
9 classroom, so I would be -- six or seven.

10 Q Okay. Who did you supervise?

11 A The teachers. Do you want their names?

12 Q Uh-huh.

13 A I'll do my best to remember. We had Mandy  
14 O'Connor. Steven Grant was a satellite teacher at that  
15 time. Margie Talban, Barbara Webb, Rod Lowe, Nikki  
16 Smith, Debbie Rankin. I want to say there was one in  
17 elementary, but I can't remember what that teacher's name  
18 was. I have a terrible memory. I'd have to go back and  
19 look.

20 Q That's okay.

21 A I'm sorry.

22 Q No, it's okay.

23 And this was one year?

24 A Uh-huh.

25 Q And when you were program coordinator for the

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1 year for Elam Alexander Academy, did you interact with  
2 the Georgia Department of Ed?

3 A No.

4 Q So prior to being program coordinator, what  
5 position did you hold?

6 A So then I was the program coordinator of the  
7 Burke Campus. It's the same title.

8 Q Okay.

9 A So when Lara was the director, they were all  
10 the same title. We just had different job duties and  
11 responsibilities.

12 Q Okay.

13 A So that was the one year I was program  
14 coordinator, but it was I oversaw satellite.

15 Q Okay.

16 A And then prior to that, I was the program  
17 coordinator for Burke Campus.

18 Q So you were two different program coordinators?

19 A Correct.

20 Q Okay. And what years did you hold the position  
21 of program coordinator for Burke Campus?

22 A I started that at 2012, I believe, I want to  
23 say, because I was pregnant.

24 Q Got it.

25 So then, okay, how many years would it have



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1 been, doing the math again?

2 A I know, you're killing me with that. I'll have  
3 to -- I wish I had something in front of me.

4 Q Yeah, yeah.

5 A I was probably program coordinator of the Burke  
6 Campus three or four years.

7 Q Okay.

8 A Uh-huh.

9 Q And Bibb County was your employer?

10 A Yes.

11 Q Okay. And what were your job responsibilities  
12 as program coordinator for the Burke Campus?

13 A So that's more site oriented. So I oversaw all  
14 teachers employed there, para pros, worked with all  
15 students. It's almost like a little miniature principal.

16 Q Okay.

17 A Okay.

18 Q And you reported to Lara Sims --

19 A Yes.

20 Q -- in that position?

21 And -- okay. Right before program coordinator  
22 from Burke Campus, is that when you were an assistant  
23 coordinator?

24 A Prior to that I was an assistant coordinator.

25 Q And would that be assistant coordinator to the

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1 Burke Campus or somewhere else?

2 A We were located on Ridge Avenue at that time,  
3 so it's still the same program. We just literally moved  
4 from Ridge Avenue to Burke.

5 Q Okay.

6 A So it was still the same program, but I was the  
7 assistant coordinator for two years, I want to say.

8 Q Did you rename the program --

9 A Yes.

10 Q -- or the site location then?

11 A Yes.

12 Q Okay. So I would be correct that you were the  
13 assistant program coordinator for the Ridge Campus, which  
14 is now the same as the Burke Campus?

15 A Correct.

16 Q Okay.

17 A Yes.

18 Q Thank you.

19 A Uh-huh.

20 Q Did you still report to Lara Sims at that time?

21 A She was the director, but I reported to  
22 Jeannette Griffin-Anderson. She was the coordinator.

23 Q And what were your responsibilities as  
24 assistant coordinator?

25 A So I worked more in the IEP realm there. I

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1 managed the IEP process. I was also testing coordinator.  
2 Worked with student discipline.

3 Q Uh-huh.

4 A Things of that nature. Evaluated teachers  
5 still.

6 Q Okay. So you still supervised teachers?

7 A Yes.

8 Q Okay. When -- so when did you all leave the  
9 Ridge Campus?

10 A Lara was director for two or three years after  
11 we moved from Ridge to Burke.

12 Q Uh-huh.

13 A That's my only point of reference.

14 Q Okay.

15 A So that's why I'm trying to talk through it.  
16 Maybe 2009.

17 Q Okay. And what led to the move?

18 A It's -- the Ridge Avenue Campus was a  
19 historical building. It was very dilapidated, and you  
20 couldn't do certain things to it to update it. So Bibb  
21 County is our fiscal agent, and so they renovated the  
22 Burke Campus, which used to be an elementary school.  
23 Renovated it, and then we moved into that campus.

24 Q Okay. Thank you.

25 A Uh-huh.

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1 Q And then before that, would you have been the  
2 teacher with special duties?

3 A Right.

4 Q Okay. And where -- what years approximately  
5 was that?

6 A Probably 2009, 2010-ish.

7 Q Okay. And how long were you a teacher with  
8 special duties?

9 A I want to say one to two years.

10 Q Okay. And Bibb County was your employer still?

11 A Yes.

12 Q Okay. And who did you report to then?

13 A Jeannette Griffin-Anderson.

14 Q And were you a teacher with special duties at  
15 the Ridge Campus?

16 A Yes.

17 Q And what is a teacher with special duties?

18 A So that's kind of like a lead teacher. So you  
19 support teachers. You support their instruction. You  
20 support students' behavior, whatever may be going on.  
21 You also are very much in the IEP process, attending all  
22 the IEP meetings, making sure, you know, we're in  
23 compliance, things like that. And I was still testing  
24 coordinator.

25 Q So you were busy?

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1 A Yes.

2 Q Do you still have this role in your program  
3 today?

4 A No. Well, yes, but no. We don't call it a  
5 teacher with special duties anymore. We call it a lead  
6 teacher.

7 Q Okay.

8 A Uh-huh.

9 Q And then before that, you were an educational  
10 therapist for Elam Alexander Academy?

11 A Yes.

12 Q In what years was that?

13 A I became a teacher in 2004.

14 Q Okay.

15 A And I taught for five -- I was a classroom  
16 teacher for five years.

17 Q So you were a teacher with special duties in  
18 2009, so then you were a teacher before you were --

19 A Right.

20 Q -- an educational therapist as well?

21 A No. An educational therapist is a teacher.

22 Q Oh, okay. So that's the same thing?

23 A Yes.

24 Q Thank you for that clarification.

25 A Yeah, absolutely.

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1 Q So 2004.

2 And where were you the educational therapist  
3 teacher?

4 A At Elam Alexander Academy, Ridge Avenue.

5 Q What year did you teach?

6 A My first year I was kindergarten through 2nd.  
7 My second year I had 4th and 5th. My third year I had  
8 8th graders, but we were housed at Adolescent Services at  
9 the Northeast Campus then. Came back from there, and I  
10 taught 6th through 8th two years.

11 Q And were these GAA classrooms or Milestones  
12 classrooms?

13 A Milestones.

14 Q Milestones?

15 A Milestones, yes.

16 Q Okay. Okay. And then before that you were a  
17 support therapist?

18 A Right, and that's like a para pro.

19 Q Para pro. For Elam Alexander Academy?

20 A Yes, for a very short time.

21 Q How would -- how short?

22 A Like -- like a month or so. Teacher quit.

23 Q Okay.

24 A Yes. And so I was working towards getting my  
25 certification, and that's when I was quickly moved into a

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1 teaching position.

2 Q Were you moved in before you received the  
3 certification?

4 A Yes. Well, I wouldn't say that. I had to be  
5 accepted into a master's program which starts the  
6 certification process.

7 Q Okay.

8 A And so I was accepted into a master's program  
9 in January, and then that's when I began.

10 Q Got it.

11 A Uh-huh.

12 Q And where -- for what classroom were you a para  
13 pro for?

14 A K through 2.

15 Q K through 2. So it was a class that you were  
16 ultimately a teacher for?

17 A Pretty much.

18 Q Okay. By "pretty much," what do you mean?

19 A Well, because for the first like -- I want to  
20 say the first week or two I was actually Lara Sims' para  
21 pro, and she taught 4th and 5th.

22 Q Okay.

23 A Uh-huh.

24 Q Got it. So 19 years at Elam Alexander Academy?

25 A Yes.

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1 Q Okay. That's a long time.

2 A It is.

3 Q Yeah. What changes have you seen?

4 A A lot. We've -- we've been through a lot.

5 Initially the program was heavily based with behavior,

6 not as much academic. So we were very heavy behavior.

7 We've seen a lot of changes. You know, back in the day

8 we had time-out rooms, you know. We have far more of an

9 academic focus now as we've moved forward. Of course, we

10 don't have any sort of seclusion room, time-out room,

11 nothing to that degree. That kind of stuff. Those are

12 the changes I would say.

13 Q When did the time-out rooms end?

14 A We were on Ridge Avenue, and we actually

15 started moving into the MindSet curriculum, which is our

16 de-escalation and restraint type of curriculum, early on.

17 And so we -- our program started closing time-out rooms

18 before the State pulled it.

19 Q Okay.

20 A Uh-huh.

21 Q Do you know when?

22 A No. We were on Ridge. Probably it was my

23 fourth or fifth year teaching.

24 Q Uh-huh.

25 A Starting moving away from that.



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1 Q Okay.

2 A Uh-huh.

3 Q And when you said you -- you all ended time-out  
4 rooms and seclusion rooms, is there a difference between  
5 the two?

6 A No.

7 Q Okay. You also mentioned that it was in --  
8 that you've recently seen more academic focus; is that  
9 correct?

10 A I think we've continually made more of an  
11 academic focus.

12 Q So ever since you started continuously, or was  
13 there a time where you think that?

14 A No. I think it's just been a continuous, yeah.

15 Q Who do you think is driving that or what is  
16 driving that?

17 A Students -- student needs.

18 Q Uh-huh. Okay. Have you worked in special  
19 education outside of the GNETS program?

20 A No.

21 Q Have you worked in education outside of the  
22 GNETS program?

23 A No.

24 Q Thank you.

25 MS. TUCKER: I would like the court reporter to

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1 mark this document as 562, Plaintiff's Exhibit 562.

2 (Plaintiff's Exhibit 562 was marked for  
3 identification.)

4 Q BY MS. TUCKER: This is an August 20, 2021  
5 e-mail to Randy Howard at an e-mail address from the Bibb  
6 County School District, from Victoria Lill, an attorney  
7 with the Civil Rights Division of the Department of  
8 Justice. The subject of this e-mail is, "Elam Alexander  
9 GNETS Program - subpoena attached." And there are four  
10 attachments; a letter addressed to you, Ms. Cole; a  
11 subpoena; a certification of student records; and a form  
12 to upload documents into the Justice Enterprise file  
13 sharing system.

14 Ms. Cole, do you recognize the documents that  
15 make up this exhibit?

16 A Yes.

17 Q Okay. I'll give you a second to flip through.

18 Let's start with the e-mail on top. Who is  
19 Randy Howard?

20 A He was the attorney that worked for Bibb  
21 County.

22 Q Okay. Did you speak with Randy Howard  
23 regarding the subpoena?

24 A No.

25 Q Okay. Who did you speak to regarding the

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1 subpoena?

2 A I believe it was Jamie Cassady, and that's when  
3 we kicked it over to Canon.

4 Q Okay. And Canon with Jones Cork?

5 A Yes.

6 Q Okay. Do you see the document that's attached  
7 that reads, "Subpoena to produce documents, information,  
8 or objects or to permit inspection of a premises in a  
9 civil action"?

10 A Yes.

11 Q Okay. And you are familiar with the subpoena?

12 A Yes.

13 Q Did Elam Alexander Academy prepare a response  
14 to this document by the date on the subpoena reading  
15 September 20th, 2021?

16 A I think we had an extension.

17 Q Okay.

18 A Didn't Sydney --

19 Q It's okay.

20 A Okay. Yeah, I think we requested an extension,  
21 and we submitted it in October.

22 Q And who was primarily in charge of that effort?

23 A I was.

24 Q Okay. And tell me about how you -- how you did  
25 that.

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1           A    Oh, yeah, sure. So I went through every item,  
2           and then based on what the information was that was being  
3           requested, I may ask for information from different  
4           coordinators. And then I have two secretaries at that  
5           time that helped put the information together.

6           Q    Okay.

7           A    Uh-huh.

8           Q    And did you review every response before it  
9           went out?

10          A    Yes.

11          Q    Okay. Got it.

12                Did personnel -- earlier you mentioned that  
13           personnel from the Department of Justice visited your  
14           program last November, correct?

15          A    Correct.

16          Q    Okay. Did you enjoin for the entire visit?

17          A    I did.

18          Q    Can you generally describe the site visits?

19          A    Sure. It was two days with two different  
20           groups. We went from different sites, being adolescent  
21           services, the Burke Campus, and then several satellite  
22           classes.

23          Q    Okay. And what took place?

24          A    Just classroom observations, walking the halls,  
25           spending 10 to 15 minutes in each classroom --

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1 Q Uh-huh.

2 A -- answering questions that may come up.

3 Q Okay. Have there been any other visits?

4 A Not since yesterday.

5 Q And did you enjoin for the entire visit with  
6 the Department of Justice yesterday?

7 A Yes.

8 Q Okay. And can you generally describe that site  
9 visit?

10 A The same thing. We walked through satellite  
11 classes, any classes that the students may receive  
12 services from, the main centers, adolescent services,  
13 Burke Campus, and then we went to L.H. and Miller.

14 THE REPORTER: We went to?

15 THE WITNESS: L.H. Williams and Miller Middle  
16 School.

17 Q BY MS. TUCKER: And did you do anything to  
18 prepare for the site visits?

19 A Just general walk-throughs.

20 Q What does that mean?

21 A Just walking through, making sure everything  
22 looked clean.

23 Q And did you do that the day of or day before?

24 A No, I did that Monday. I also -- any of the  
25 satellite classrooms, I reached out to the principals to

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1 let them know that you guys would be in the buildings.

2 Q Thank you.

3 Did you have any conversations with anyone on  
4 your staff about the Department of Justice visits?

5 A Just my leadership team, just letting them know  
6 that you guys were coming back through.

7 Q And how about the first time?

8 A The same.

9 Q Okay. Did you speak with anyone at the Georgia  
10 Department of Ed before the visits?

11 A Not for that purpose, no. I made mention of it  
12 in the GNETS directors meeting prior to it beginning. I  
13 think it was Tuesday that we had that meeting.

14 Q And how about the visit in November 2021; did  
15 you speak to anyone at Georgia Department of Ed prior to  
16 that visit?

17 A Not specifically, just that you guys were  
18 coming down.

19 Q Did you speak with anyone from the Robbins law  
20 firm that represents the State in this litigation?

21 A No.

22 Q Before the visits?

23 A No.

24 Q Okay. Did you put in any special maintenance  
25 requests before the Department of Justice visit at either

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1 time?

2 A Not special, no.

3 Q Or how about any maintenance request?

4 A I was going to say, I'm constantly putting in  
5 maintenance requests.

6 Q Yeah.

7 A Because like if we have like a fire  
8 extinguisher case, things like that, I'm constantly  
9 putting in maintenance requests.

10 I think the last maintenance requests I've put  
11 in were for removing some equipment off the playground  
12 that was dilapidated.

13 Q At which campus?

14 A Burke.

15 Q At Burke?

16 A Uh-huh.

17 Q Okay.

18 A I have requested fire extinguisher cases being  
19 replaced, air conditioning --

20 Q Uh-huh.

21 A -- be turned on. You know, things like that.

22 Q Anything specifically prior --

23 A Not for the purpose.

24 Q -- when you did the walk-through?

25 A No. Not for that purpose, no.

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1 Q Were any class schedules modified to  
2 accommodate the Department of Justice visits?

3 A No.

4 Q Were any student schedules modified?

5 A No.

6 Q Did you or anyone on your staff have  
7 conversations with students or their families about the  
8 visit?

9 A No.

10 Q Okay. Any other communication with families  
11 about the site visit apart from our discussions?

12 A No. I don't know that parents were even aware.

13 Q Okay. After the visit last November, did you  
14 have any conversations with GaDOE about the visits?

15 A No.

16 Q Okay. About the lawsuit?

17 A No.

18 Q Okay. After yesterday's visit, did you have  
19 any conversation with GaDOE?

20 A No.

21 Q Anyone else from the State or representing the  
22 State?

23 A No.

24 Q Thank you.

25 A Uh-huh.



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1 Q So Ms. Cole, you said that you started at GNETS  
2 19 years ago?

3 A Yeah.

4 Q Is that when you first became familiar with the  
5 GNETS program?

6 A No. Actually, when I was in college, we used  
7 to hold a summer camp -- Elam would hold a summer camp  
8 every year, and I worked the summer camps. So no, I've  
9 been -- and my mom worked for GNETS for years. She was  
10 the administrative secretary since I was two.

11 Q So she worked for Elam Alexander Academy?

12 A She did. Uh-huh.

13 Q Since you were two?

14 A Yes.

15 Q And when did she retire?

16 A She -- oh, I make a joke. She retired when I  
17 became the program coordinator that oversaw satellite,  
18 the last program --

19 Q Okay.

20 A -- coordinator.

21 Q Got it.

22 A Right before I was GNETS.

23 Q Got it.

24 A For 30 years.

25 Q 30 years with GNETS?

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1 A Uh-huh.

2 Q And so you've been familiar with the GNETS  
3 program for -- for a long time?

4 A I have.

5 Q Yeah. And the -- you said that you  
6 participated in a summer camp when you were in college?

7 A Right. I was a camp counselor. We used to  
8 take kids out for a week at a time --

9 Q Uh-huh.

10 A -- and take kids, our GNETS kids out.

11 Q Where did you take them out?

12 A Different places. So usually we would be at  
13 Camp Maheta Luputke -- just good luck with that. And so  
14 it would be like a five-day camp Monday through Friday.  
15 It was an overnight camp. There was cabins. We would  
16 have different things like canoeing, fishing. We would  
17 go on field trips, things like that. It was always in  
18 like June.

19 Q And when did this camp -- or does this camp  
20 still exist?

21 A It does not.

22 Q Okay. When did it end?

23 A It ended a little bit before I was director.  
24 We just didn't have the funding for it to keep it going.

25 Q Who funded it?

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1 A We did.

2 Q Okay.

3 A The GNETS program.

4 Q Through what funds?

5 A The grant.

6 Q By "grant," do you mean the state grant?

7 A Yes. I would say it was either state or  
8 federal. I don't know how they pulled money at that  
9 time.

10 Q Okay. Describe the GNETS program as a whole  
11 for me.

12 MS. SOLOMON: I am going to object to the form.

13 MS. TUCKER: Okay. Sure.

14 MS. SOLOMON: Can you verify?

15 MS. TUCKER: Yeah. No problem.

16 Q BY MS. TUCKER: How would you describe -- what  
17 is the GNETS program?

18 A It's a program that serves students with  
19 characteristics of emotional behavior disorders, ages 5  
20 to 21. I work with kids that are not necessarily  
21 eligibility of EBD. They have to have characteristics of  
22 emotional behavior disorders.

23 Q Characteristics of EBD?

24 A Uh-huh.

25 Q Okay. Ages 5 to 21?

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1 A 5 to 21.

2 Q Okay. Has it always been 5 to 21?

3 A No. It used to be 3 to 21.

4 Q And when did that change?

5 A When the new rule came out nine -- nine years  
6 ago or so.

7 Q Okay. Are you referring to the State GNETS  
8 rule?

9 A Yes.

10 Q That came out in 2017?

11 A No.

12 Q Okay.

13 A It was prior to that.

14 Q Okay.

15 A It was prior to that. They changed the ages  
16 from 3 to 21 to 5 to 21.

17 Q Okay. Prior to that?

18 A Uh-huh.

19 Q Okay.

20 A Yeah.

21 Q When you first started working for -- for  
22 GNETS, what were your views on the effectiveness of the  
23 GNETS program for serving students with EBD or  
24 characteristics of EBD?

25 A I think we have always done a good job.

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1 Q What about now? Have you seen any changes?

2 A Well, since I've been director, I can speak  
3 to -- I mean, we have lower enrollment. We have  
4 increased, you know, transition out to, you know, the  
5 GNET or through the process, the continuum. We've --  
6 we've had some kids that have a lot of success. We do.

7 Q How would you define success?

8 A Graduate, have postsecondary goals. You know,  
9 some have gone to college. Some have gone into the  
10 military, work a full-time job, you know.

11 Q Do you track those postsecondary outcomes?

12 A I do not.

13 Q How do you learn of them then?

14 A Just through the other special ed directors  
15 saying, hey, this student is doing so well, you know. A  
16 lot of students report back. You know, they come back  
17 and visit and want to show us how well they've done.

18 Q Can you describe the structure of the GNETS  
19 program across the state? Did you say it was how many  
20 programs?

21 A So I think there's 24, but every program is a  
22 little different of how they're structured. Some may be  
23 more school-based. Some may be more site-based. You  
24 know, that falls up under their LEA or RESA.

25 Q And Elam Alexander Academy is one of these

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1 regional programs?

2 A Yes.

3 Q And earlier we -- we discussed that it serves  
4 Bibb, Crawford, Houston, Jasper, Jones, Monroe, Peach,  
5 and Twiggs counties?

6 A Yes.

7 Q Okay. And that's eight counties?

8 A Yes.

9 Q How long has Elam Alexander Academy served  
10 those eight school districts?

11 A So we added Jasper on probably nine years ago,  
12 eight or nine years ago. So it used to be seven. But  
13 outside of that, it's always been that area, that catch  
14 area.

15 Q Okay. What led to Jasper being added?

16 A I'm not sure. I think they -- they -- that  
17 went through the RESA department, I want to say. They --  
18 because they were already a part of Middle Georgia RESA,  
19 and so they wanted their GNETS to fall up under that as  
20 well because they were being served under GNETS of  
21 Oconee.

22 Q Okay.

23 A Uh-huh. So it was like they had one leg in  
24 Middle Georgia RESA, because that was their catch area,  
25 and then -- but they were receiving services through a

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1 different GNETS.

2 Q With a different RESA?

3 A Right. Because I think that GNETS, it may be  
4 under a RESA. I don't know if it's LEA or RESA.

5 Q Okay. I understand.

6 Under your time with Elam Alexander, have there  
7 been any counties that were part of it but no longer  
8 participate?

9 A No.

10 Q Okay. Have you, under your time as director of  
11 Elam Alexander Academy, served a student from a school  
12 district that is not included in those eight counties?

13 A Not that I'm aware of.

14 Q Okay.

15 A Not unless they were, you know, under  
16 McKinney-Vento and they were served through a different  
17 LEA, but --

18 Q Okay.

19 A -- not that I'm aware of, no.

20 Q And Bibb County is Elam Alexander Academy's  
21 fiscal agent?

22 A Yes.

23 Q Okay. And what's your working relationship? I  
24 know you mentioned your relationship with the assistant  
25 superintendent. What -- how else would you describe your

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1 working relationship with the Bibb County School  
2 District?

3 A Very good. We are like any other school or  
4 program. They assist with everything. They, you know,  
5 manage the building. They manage -- you know, they're  
6 like my bank. They manage all of my finances. They  
7 provide professional learning. All of my teachers are  
8 involved in Bibb County's professional development. They  
9 are all Bibb County teachers.

10 Q So would a GNETS teacher at, you know,  
11 Crawford, in Crawford County at that site, are they still  
12 considered a Bibb County teacher?

13 A They are.

14 Q And then those -- how does that work with the  
15 buildings in the counties that are in Bibb County?

16 A What do you mean?

17 Q So there is some sites that are outside Bibb  
18 County, correct?

19 A Right.

20 Q Okay. Does Bibb County still own those  
21 buildings?

22 A No. So like if I have a Bibb County teacher --  
23 because all of my teachers are Bibb County -- but they  
24 teach in Crawford County or Jones County, they just  
25 receive their salary from Bibb. We provide the



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1 oversight, any sort of training that is GNETS, but then  
2 they are absorbed of that school environment. So if they  
3 are at Jones County, then they're considered -- you know,  
4 they're treated just like a Jones County.

5 Q Okay.

6 A But we do their evaluation, and we pay their  
7 salary.

8 Q And their professional development?

9 A And they also receive professional development  
10 from that school, too.

11 Q They get both?

12 A Yes.

13 MS. TUCKER: I'd like the court reporter to  
14 mark the following document as Plaintiff's Exhibit 563.

15 (Plaintiff's Exhibit 563 was marked for  
16 identification.)

17 Q BY MS. TUCKER: Ms. Cole, the Bates number on  
18 the bottom of this document reads Elam-09-20-21-0005.  
19 This document is a printout from 2/9/2021 from GNETS Web  
20 for fiscal year '22. It contains a table that reads,  
21 "GNETS Site Location."

22 For the record, this document, like other  
23 documents with Bates numbers beginning with the prefix  
24 Elam, were produced by Elam Alexander Academy in response  
25 to the United States subpoena and related follow-up

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1 requests.

2 Ms. Cole, do you recognize this document?

3 A Yes.

4 Q Okay. Thank you. What is GNETS Web? I see it  
5 at the top.

6 A That's just -- this is just the platform where  
7 we upload our grant, and it's through the portal.

8 Q Through the -- what portal?

9 A The Department of Education portal.

10 Q The Georgia Department of Ed portal?

11 A Yes.

12 Q So through the portal there is GNETS Web?

13 A Yes. So this is where I would update all of my  
14 information.

15 Q Okay.

16 A And submit my grant yearly.

17 Q Got it. Thank you.

18 What does this document represent, Ms. Cole?

19 A At this time, that is where our sites were,  
20 classroom or sites, whatever.

21 Q Okay. So these would be the GNETS locations  
22 for Elam Alexander Academy for fiscal year 2022?

23 A Correct.

24 Q Okay. Can you define fiscal year 2022 for me?  
25 Like when does it begin and when does it end?

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1 A So it begins in -- it's July 1 to June 30th.

2 Q July 1 to June 30th. Okay. So school year?

3 A Yes.

4 Q Okay. So for -- if this was fiscal year 2022,  
5 would this be the '21 to '22 school year?

6 A Correct.

7 Q Okay. Thank you.

8 A Uh-huh.

9 Q So we are currently in the fiscal year 2023?

10 A Correct.

11 Q Okay. Thank you.

12 And that began like?

13 A July 1.

14 Q July 1 of 2022?

15 A Correct.

16 Q A lot of numbers?

17 A Yes.

18 Q So am I correct that there are nine GNETS sites  
19 locations for Elam Alexander Academy identified for  
20 fiscal year 2022?

21 A On this page, yes.

22 Q On this page. Did that change at any point  
23 during fiscal year 2022?

24 A I'm looking at it. No.

25 Q How has it changed, if it has, for fiscal year

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1 2023?

2 A So we have closed the Crawford County High  
3 School class, the L.H. Williams class. And we have  
4 changed -- we have two classes in Jones County; one at  
5 the high school and a different elementary school. Gray  
6 Station, I believe.

7 Q Okay. So let's take a moment. So you have  
8 closed L.H. Williams Elementary School?

9 A Correct.

10 Q You have closed Crawford County High School?

11 A Correct.

12 Q But you have added which locations?

13 A I have two classrooms in Turner -- not Turner.  
14 In Jones County.

15 Q Two classrooms in Jones County?

16 A Right. One elementary and one high school.

17 Q Where are they located?

18 A The Jones County High School, and I want to say  
19 Gray Station.

20 Q And are you saying Grace Station?

21 A Gray Station. Gray, like Gray.

22 Q Okay. Like the color?

23 A Yeah, Gray Station.

24 Q So I -- would I be correct that there is still  
25 nine locations this year -- this fiscal year for Elam

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1 Alexander Academy, since you've got -- you've removed two  
2 but added two?

3 A Correct.

4 Q Let's start with L.H. Williams. Why did you  
5 close L.H. Williams Elementary School sites?

6 A We didn't have enough students to support a  
7 class. We had -- I think we ended the year, when we  
8 looked at the projections, we had three students that  
9 were going to be served in that class, but two out of the  
10 three were already taking three to four classes out, so  
11 there was no reason not to continue moving them on to  
12 their home school. So I closed that class.

13 Q And where did the other student go?

14 A Came back to the main center at Burke.

15 Q Burke. Was that student receiving classes out  
16 prior to?

17 A Not as many. I think he was receiving one,  
18 maybe.

19 Q One?

20 A Uh-huh.

21 Q Okay. And now he is at Burke Campus?

22 A Correct.

23 Q And at Burke Campus, there is no classes out or  
24 are there classes out?

25 A I would have to look at his schedule, because I

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1 don't know if he's not a half-day student.

2 Q Okay.

3 A So we serve students on half day that may go  
4 out, and I don't -- I can't recall on him.

5 Q How does a half day work?

6 A It depends on the IEP. So it could be morning.  
7 It could be afternoon. You know, it's whatever we find  
8 success with. We have some students that are at their  
9 home school in the morning and come to us in the  
10 afternoon. Sometimes we swap it. It depends on the IEP.

11 Q What's the longest distance a student would  
12 have to travel to do a half day at Burke Campus?

13 A It depends on their home school and what county  
14 it is and transportation.

15 Q Can you give me a range?

16 A Which county are you talking about?

17 Q Well, what would be the longest drive?

18 A For any of -- from Burke to any of their home  
19 schools, I don't -- and Bibb, maybe 20 minutes.

20 Q Okay.

21 A 20, 30 minutes.

22 Q And then what happens if that student is from  
23 Jones County?

24 A So we may look at the IEP. It may still  
25 continue to be a half day. It may be that it be every

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1 other day.

2 Q Okay.

3 A Or we phase out and maybe have one day a week.

4 You know, it depends on the IEP.

5 Q Thank you.

6 A Uh-huh.

7 Q And then you mentioned you closed the Crawford  
8 County High School site?

9 A Correct.

10 Q And when was that change made?

11 A I made that call in July.

12 Q Okay. And why?

13 A Because we didn't have any students in that  
14 class.

15 Q There were zero students?

16 A Zero students.

17 Q And then when did you add the Jones County  
18 classes, one at the elementary school and one at the high  
19 school?

20 A In July.

21 Q And why did you choose to add these?

22 A So we had one teacher out there, and Jones  
23 County felt like they needed more support in the high  
24 school, so we moved her to the high school.

25 Q Uh-huh.

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1 A But then she wanted to maintain an elementary  
2 class, and I had a teacher that lived in Jones County.

3 Q Uh-huh.

4 A And we were able to make that -- make that  
5 happen.

6 Q So on this document that we are looking at,  
7 Plaintiff's Exhibit 563 -- is that -- or 562?

8 MS. SOLOMON: I think this is 563.

9 Q BY MS. TUCKER: 563. I apologize.

10 A Yeah, that's correct.

11 Q Okay. Great.

12 Where was the Jones County location that  
13 already existed?

14 A It was Turner Woods Elementary, but we moved.  
15 We took Windy Armona to the high school, at Jones County  
16 High School. So there is no class at Turner Woods  
17 anymore. I think they moved that class. They moved  
18 that -- Jones County moved that class. I want to say it  
19 was Gray Station.

20 Q Okay. So that means this year there are eight  
21 sites?

22 A I'd have to look at my grant.

23 Q Okay.

24 A Yeah. So we have two classes in Jones County  
25 where we had one.



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1 Q Uh-huh. So you have two at Jones?

2 A One in Crawford -- no, none in Crawford. I'm  
3 sorry.

4 Q So one at the Burke Campus?

5 A You are talking about this year right now?

6 Q This year, yeah.

7 A So we have Burke Campus.

8 Q Uh-huh.

9 A Adolescent Services.

10 Q Uh-huh.

11 A We have two at Southwest High School.

12 Q Two classrooms?

13 A Uh-huh.

14 Q Okay.

15 A I've got one at Northeast High School.

16 Q Uh-huh.

17 A I've got one at Miller Middle School.

18 Q Uh-huh.

19 A I've got one at Peach County High School.

20 Q Okay.

21 A And I have two in Jones County. I think we  
22 mentioned that.

23 Q Yeah. Okay.

24 A Okay.

25 Q Thank you.

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1 A Uh-huh.

2 Q So I think it's eight locations. Does that  
3 sound right?

4 A I'd have to look at it.

5 Q You would have to look. Okay.

6 Of these locations on the exhibit that you are  
7 looking at --

8 A Uh-huh.

9 Q -- even though I know there's been some  
10 changes, which would you classify as a GNETS center,  
11 based on the definition we agreed to?

12 A That's the stand-alone.

13 Q Uh-huh.

14 A That would be the Burke Campus.

15 Q Okay. Would you describe the Southwest  
16 Adolescent Center as a center or no?

17 A I would not, not as a stand-alone.

18 Q Okay.

19 A They are attached to a school.

20 Q Are they in a separate wing or?

21 A Yes, separate wing.

22 Q With a separate entrance?

23 A Yes.

24 Q Are students able to move freely to the  
25 attached school?

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1 A Not freely.

2 Q Starting with Burke Campus, that is in Bibb  
3 County?

4 A Yes.

5 Q And the Adolescent Center is also in Bibb  
6 County?

7 A Yes.

8 Q Okay. Do -- does the Burke Campus serve  
9 students from all eight counties?

10 A Yes.

11 Q And does the Southwest Adolescent Center serve  
12 students?

13 A Yes.

14 Q From all eight counties?

15 A Yes.

16 Q How are students assigned between these two  
17 locations, as they are fairly close in proximity,  
18 correct?

19 A Yes.

20 Q Okay.

21 A So the makeup at Burke is kindergarten through  
22 8 for Milestones. My Adolescent Services at Southwest  
23 service 9 through 12th. So that's how you make the shift  
24 from Burke to Southwest.

25 Q For Milestones?

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1 A For Milestones.

2 Q Okay. And then Burke serves K through?

3 A 12. Or ages 5 to 21 for GAA.

4 Q Thank you.

5 How many students are at the Burke Campus this  
6 year?

7 A It can change daily, but I would say  
8 approximately, probably 100 and -- anywhere between 120  
9 and 130. Okay.

10 Q And how many classrooms?

11 A There are 18, 19 classrooms.

12 Q And how many students are at the Southwest  
13 Campus Adolescent Center?

14 A I want to say maybe 55.

15 Q Okay. And how many classrooms?

16 A There are six.

17 Q You said six?

18 A Uh-huh.

19 Q Okay. And then on this page that you are  
20 looking at, that exhibit, 563, would you describe the  
21 other locations as school-based?

22 A Yes.

23 Q Okay. And then earlier when you said that you  
24 made the call to close L.H. Williams, as well as the  
25 Crawford County sites --

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1 A Uh-huh.

2 Q -- did you have to advise anyone of that?

3 A Sure. So I worked with the special ed  
4 director, and if they're in Bibb County, I talked with  
5 Mr. Cassady and Jennifer Donnelly. For Crawford County,  
6 I just work with Catherine Brown, who is the special ed  
7 director out there.

8 Q Did you speak with anyone at the State?

9 A No, because I upload it all into the grant.

10 Q Okay.

11 A And then they did call with questions, hey, did  
12 you shift this, did you do that, and we talked through  
13 that.

14 Q And they called with questions about the --

15 A Uh-huh.

16 Q -- closures?

17 A Uh-huh.

18 Q And what were their questions?

19 A Pretty much the same as yours. Why did you  
20 close them? Do you know where those students went?

21 Q Okay.

22 A Uh-huh.

23 Q Thank you.

24 Okay. Let's start looking down the row on this  
25 exhibit. We'll start with Miller Middle School.

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1 A Uh-huh.

2 Q What school district is Miller Middle School  
3 in?

4 A Bibb.

5 Q Okay. And how many students are receiving  
6 GNETS services at Miller Middle School this year?

7 A I think he said six.

8 Q Six?

9 A I can't remember. Six or seven.

10 Q And how many classrooms?

11 A One.

12 Q One. You said that.

13 And that's this school year, the 2022/'23  
14 school year?

15 A Yes.

16 Q And does Miller Middle School serve students  
17 from all participating school districts?

18 A No.

19 Q Which school districts?

20 A Bibb.

21 Q Only?

22 A Bibb only.

23 Q Does the school-based classroom at Miller  
24 Middle School, the one, serve a specific student  
25 population this school year?

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1 A Do you mean Milestones or GAA?

2 Q Yes.

3 A Milestones.

4 Q Milestones. Has that been the same in the  
5 past?

6 A Yes.

7 Q Okay. Going down the list, I know you just  
8 mentioned that L.H. Williams does not exist this school  
9 year, but last school year, did that serve a specific  
10 population?

11 A Milestones.

12 Q Milestones. And were students coming from  
13 which counties to L.H. Williams?

14 A Bibb only.

15 Q Then next is Southwest High School --

16 A Yes.

17 Q -- on the list?

18 And what county is Southwest High School in?

19 A Bibb.

20 Q And this is the high school that the Southwest  
21 Academy Adolescent Center is connected to?

22 A Yes.

23 Q And how many students receive GNETS services at  
24 the high school?

25 A At the satellite, the two classes?

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1 Q Uh-huh.

2 A So I have two classes over there. I believe  
3 the Milestones has five or six. I'd have to look at my  
4 class roster. And then the GAA classroom has six to  
5 seven.

6 Q Okay.

7 A Uh-huh.

8 Q And does -- does this high school and these  
9 classrooms serve students from all districts?

10 A Only Bibb.

11 Q Only Bibb.

12 And how is this location different from the  
13 Southwest Adolescent Center?

14 A So they require less support.

15 Q Uh-huh.

16 A They don't have social workers on hand. They  
17 don't have crisis interventionists on hand. It's more --  
18 it is a GNETS teacher, and if they have a Paris, a GNETS  
19 Paris, they receive those trainings. But they require  
20 less intervention.

21 Q Okay. Do you know if they -- or do they work  
22 together at all, given the shared area?

23 A Do who work together?

24 Q Do the GNETS teacher -- the two classroom GNETS  
25 teachers, do they interact and work with the teachers,



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1 the GNETS teachers at the adolescent center?

2 A Sometimes, but they work more with the  
3 Southwest teachers.

4 Q Okay.

5 A So they are included in their professional  
6 development as well.

7 Q Okay.

8 A They have a foot in both worlds.

9 Q Thank you.

10 A Uh-huh.

11 Q Next down the list is Turner Woods Elementary  
12 School, which is now closed?

13 A Right.

14 Q But what county is it in?

15 A Jones.

16 Q Jones. Okay.

17 And how many classrooms were at Turner County  
18 -- Turner Woods last year?

19 A One.

20 Q And this classroom was then moved to the Jones?

21 A So we have two classrooms now. One is in the  
22 high school, and one is in a different elementary school.

23 Q Right. The Gray Station?

24 A Yes.

25 Q Does this classroom at Gray Station have a

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1 specific population?

2 A Milestones.

3 Q Milestones. And does it serve students from  
4 outside Jones County?

5 A Only Jones.

6 Q Okay. Was that the same at Turner Woods?

7 A Correct.

8 Q Okay. Peach County High School, is that in  
9 Peach County?

10 A Yes.

11 Q How many students receive GNETS services at  
12 Peach County High School?

13 A I believe Margie has six or seven. I'd have to  
14 look at my class roster.

15 Q Okay. And you said one classroom?

16 A Yes.

17 Q Okay. And are the six or seven students all  
18 from Peach County?

19 A Yes.

20 Q And is this -- what type of population is this  
21 classroom?

22 A Milestones.

23 Q Milestones.

24 And then next, Crawford County High School,  
25 that would be in Crawford County?

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1 A Yes.

2 Q And how many students -- oh, there are no  
3 students this year?

4 A None. None this year, no.

5 Q Okay. And then do you recall how many last  
6 year?

7 A Six or seven.

8 Q And they were all students from Crawford  
9 County?

10 A Yes.

11 Q And what population did it serve?

12 A Milestones.

13 Q And then next would be Northeast High, High  
14 School. And what school district is Northeast High  
15 School in?

16 A Bibb County.

17 Q Okay. How many students receive GNETS services  
18 at Bibb County this year?

19 A In Bibb County?

20 Q In this -- I apologize.

21 How many students receive GNETS services at the  
22 Northeast High School this year? And by "this year," I  
23 mean this school year.

24 A I believe five, five or six.

25 Q And you said it was one classroom?

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1 A One classroom.

2 Q Okay. And is that a specific population?

3 A Milestones.

4 Q So both Northeast High School and Southwest  
5 High School are in Bibb County?

6 A Yes.

7 Q How would I be assigned if I was a student to  
8 either Southwest High School or Northeast High School?

9 A So it depends on where you live, too. It's an  
10 IEP decision. But if the family is closer to Northeast,  
11 then they would rather them, you know, be transported  
12 over there, or even if they're driving, that's how it's  
13 based on, just location.

14 Q Just location?

15 A Uh-huh. Same services.

16 Q Okay.

17 A Uh-huh.

18 Q Thank you.

19 MS. TUCKER: I'm handing the court reporter a  
20 document I'd like to be marked as Plaintiff's Exhibit  
21 564.

22 (Plaintiff's Exhibit 564 was marked for  
23 identification.)

24 Q BY MS. TUCKER: Ms. Cole, the Bates number on  
25 the bottom of this document reads Elam-09-20-21-003.

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1 This document is a printout from 2/9/2021 from GNETS Web  
2 for fiscal year '21, and it contains a table that reads,  
3 "GNETS Site Location."

4 Do you recognize this document?

5 A I do.

6 Q Okay. And am I correct that this is a similar  
7 document we just reviewed but identifies the sites for  
8 Elam Alexander Academy for fiscal year 2021?

9 A Yes.

10 Q And that would be the 2020 to 2021 school year?

11 A Yes.

12 Q I'm getting the hang of it.

13 Okay. Do you agree that there are 13 sites  
14 identified for fiscal year 2021 for Elam Alexander  
15 Academy here?

16 A Yes.

17 Q Okay. So that's a bit more than the nine we  
18 just went over for fiscal year 2022. Which four sites  
19 are no longer -- were no longer used?

20 A Okay. So which ones have I closed?

21 Q Yeah.

22 A Or we have closed --

23 Q Thank you.

24 A -- collaboratively?

25 Okay. So we no longer have Elam Alexander -

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1 Lindsey Elementary.

2 Q Okay.

3 A Perry High School.

4 Q Okay.

5 A We've talked about Turner Woods.

6 Q Uh-huh.

7 A L.H. Williams. Oh, Northside High School. Go  
8 back up. Sorry.

9 Q Northside, okay.

10 A Uh-huh. Turner Woods we've talked about. L.H.  
11 we've talked about.

12 Q Uh-huh.

13 A And Thomson Middle School.

14 Q Okay. Would you have described these as  
15 centers or school-based, the ones that you -- that have  
16 been closed?

17 A So the center -- center/school-based kind of  
18 was the -- and I will explain the "kind of."

19 Q Okay.

20 A Was the Lindsey Elementary. We used to have a  
21 site in Houston that was called the Elberta Center.

22 Q Uh-huh.

23 A And that was self contained. We moved it to  
24 the Lindsey Elementary School.

25 Q Okay.

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1 A So it was housed there, but it was like a  
2 separate wing.

3 Q Okay. Similar to the Southwest High School?

4 A Yes.

5 Q Adolescent Center?

6 A Yes.

7 Q Okay.

8 A The rest are -- the rest that we closed were  
9 just satellite classrooms.

10 Q And what led to these closures?

11 A So those were predominantly Houston County. It  
12 was -- there was not a lot of students at the Lindsey  
13 Elementary, so funding just -- if you are just looking at  
14 money, it wasn't making sense to maintain it.

15 And then when we did that, then we closed some  
16 of the satellite classes, because then they pushed them  
17 back into the Houston County school system. And they  
18 took the majority of those teachers. My -- my Bibb  
19 teachers like that were at Thomson Middle and Northside  
20 High.

21 Q Uh-huh.

22 A They were GNETS teachers. They stayed on with  
23 Houston. They just shifted over and then absorbed some  
24 of these students. So they pushed it back in.

25 Q So these students who were receiving GNETS

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1 services at these locations are now receiving services in  
2 the general education environment?

3 A Some, not all. Some came to the Burke Campus.

4 Q Some came to the Burke Campus.

5 A Uh-huh. Or adolescent services, depending on  
6 the age.

7 Q Okay. Were any of these closures for the  
8 population Milestones or GAA?

9 A All -- all Milestones.

10 Q All Milestones?

11 A Uh-huh.

12 Q And when you made the decision to close, who  
13 did you speak to?

14 A That was collaborative between me and Houston  
15 County, and it was Dr. Millward, who was the -- she was  
16 the special ed director there.

17 Q And did you advise GaDOE?

18 A Once I submitted everything in my grant.

19 Q Did they have questions?

20 A The same. Just why, you know.

21 Q Have you spoken with folks in Houston County  
22 regarding this change over the last few years?

23 A We still serve their students --

24 Q Yeah.

25 A -- so we still have constant communication.



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1 Q Are they finding it to work?

2 A So the majority of the students that were  
3 pushed back in and received services in the gen ed  
4 setting still receive some -- most do -- some sort of  
5 services like consultative. So we may have a teacher  
6 work with their teacher, or it may be indirect or direct  
7 services --

8 Q Okay.

9 A -- where we have a teacher that goes out and  
10 works directly with a student. Maybe -- it's per IEP,  
11 but maybe 15, 30 minutes a week or, you know.

12 Q In a pullout-type setting?

13 A It depends on what the IEP calls for. Some are  
14 just where you go and you touch base with the teacher,  
15 talk about what's working and what's not. Some where we  
16 just go into the classroom and talk with the student, see  
17 what's -- you know, touch base kind of thing. More like  
18 a check-in/check-out kind of setting.

19 Q So they are receiving GNETS services in -- at  
20 their home schools?

21 A Correct.

22 Q Okay. And not in a segregated setting?

23 A Correct.

24 Q And you call that consultative?

25 A Yes.

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1 Q Okay. As director of Elam Alexander Academy,  
2 do you view the student population as increasing,  
3 decreasing, staying the same?

4 A We have steadily decreased.

5 Q Steadily decreased?

6 A Uh-huh.

7 Q Why do you think that is?

8 A Multiple -- well, I won't say multiple reasons.  
9 When I first became director, we were at like 536 or so  
10 kids. There was a lot of kids, and it was a higher  
11 number of GAA students, so we had closer to 120-plus GAA  
12 students.

13 Q Uh-huh.

14 A And just I felt like that needed to start being  
15 pushed further out, so we -- we started pushing that  
16 eight years ago, and we have decreased that population.  
17 And also, just we're doing more work on the front end.  
18 So you can request consultation, where we go in and maybe  
19 observe the classroom or observe a student or help  
20 develop an FBA, whatever it may be. So we do a lot of  
21 work on the front end to decrease the amount of students  
22 coming in.

23 Q Okay.

24 A So that helps, too.

25 Q Why have you done that? What has led to that

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1 work happening?

2 A So there was two packets created. It's a  
3 request for consultation, which is that kind of work, or  
4 a consideration for services. And so some things change  
5 with the consideration of services packet. You know,  
6 it's recommended, highly recommended that you have an  
7 updated FBA, BIP, psychological evaluation.

8 Prior to that packet rolling out -- and that  
9 was from the Department of Ed -- you could call an IEP  
10 meeting and consider services without those things in  
11 place. So that's fewer and far between.

12 Q Okay. So those documents you just referred to,  
13 the packets, they were created by the Department of Ed?

14 A Correct.

15 Q And when was that?

16 A Oh, seven, eight years ago.

17 Q Okay. Thank you.

18 And then you mentioned that you have had less  
19 GAA students; is that correct?

20 A Right. So we've -- we decreased that. We  
21 started to reintegrate that population. We've probably  
22 cut that population in half.

23 Q Okay. Thank you.

24 A Uh-huh.

25 Q Maybe we take a quick break?

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1 A Okay.

2 Q If that's okay? Are you good?

3 A Yeah.

4 MS. SOLOMON: Do you want to take like a  
5 five-minute break?

6 MS. TUCKER: Can we take -- is 15 okay?

7 MS. SOLOMON: Yeah, that's fine. Come back  
8 together at 11:05?

9 MS. TUCKER: Yeah.

10 THE VIDEOGRAPHER: The time is 10:52 a.m., and  
11 we are off the record.

12 (The deposition was a recess from 10:52 a.m. to  
13 11:17 a.m.)

14 THE VIDEOGRAPHER: The time is 11:17 a.m., and  
15 we are on the record.

16 MS. TUCKER: Thank you. Welcome back,  
17 Ms. Cole.

18 We are going to show a document electronically  
19 that we'd like the court reporter to mark as Plaintiff's  
20 Exhibit 565.

21 (Plaintiff's Exhibit 565 was marked for  
22 identification.)

23 Q BY MS. TUCKER: So it's going to show up on  
24 your screen in a moment. Can you see it?

25 A Yes.

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1 Q Okay. This is a nine-page document with a  
2 Bates number at the bottom of the first page starting  
3 with Elam-09-20-21-0100.

4 This document was produced as an electronic  
5 file from you all with the file name 93 -- 9.3.21-BS-0100  
6 through 0108.PDF.

7 Ms. Cole, do you recognize this document?

8 A Yes.

9 Q Okay. Thank you.

10 MS. TUCKER: Are you able to give Ms. Cole  
11 ability to access, like control the document?

12 MS. SOLOMON: I think that Claire will have to  
13 control it.

14 Q BY MS. TUCKER: Okay. So Ms. Cole, when we are  
15 asking questions, just let Claire know, and she can move  
16 up and down, and we can move back and forth for you.

17 A Okay.

18 Q And if you want to move that computer closer to  
19 you to see.

20 A I can see.

21 Q Okay. So you said you recognize this document.  
22 Did you create this document?

23 A I believe my secretary created it.

24 Q Okay. And when -- for the purpose of  
25 responding to the Department of Justice's subpoena?

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1 A No. This is -- this is something I keep on  
2 file. This is how we look at our class roster and manage  
3 our numbers and see -- see where we are flushing out.

4 Q How often do you have your secretary do this?

5 A Oh, this is updated daily, weekly. Uh-huh.  
6 This is for our records.

7 Q Okay.

8 A Uh-huh.

9 Q And that's the whole document, if you want  
10 to --

11 MS. TUCKER: Claire, can you flip through?

12 Q BY MS. TUCKER: And then we'll go page by page  
13 soon, but just looking at this?

14 A Yes.

15 Q Okay.

16 A Yes, that's how it's broke down.

17 Q Okay. I just want to make sure we get all the  
18 way to the end for that first time. Yep.

19 A Uh-huh.

20 Q Okay. So this is the same document that your  
21 secretary creates?

22 A Yes.

23 Q Where -- what's your secretary's name?

24 A Well, are you talking about for this year or  
25 last year?

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1 Q Let's go for last year that created this  
2 document.

3 A So this was created by Dixie Johnson, but now  
4 it's maintained by Alicia Craft.

5 Q Okay. And where do they receive the data to  
6 create this document?

7 A From the program coordinators.

8 Q And then do you share this document? I know  
9 you shared this with us, but is this data or documents  
10 that you share with anyone else?

11 A So, yes. It's no longer housed in like a Word  
12 or Excel document like that. It's housed in Teams  
13 platform for our leadership team. So they can always log  
14 in and see where we are at with our class roster, you  
15 know, pull that information at any point in time.

16 Q And that would be Microsoft Teams?

17 A Yes.

18 Q Okay. And that's where it's updated every day,  
19 every week?

20 A Yes, ma'am.

21 Q Okay. And then given that this file name was  
22 9.3.21, am I correct that this document represented the  
23 student population on that date?

24 A Yes.

25 Q I'm going to go page by page.

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1 A Okay.

2 Q But starting with page 1, with the Bates number  
3 on the bottom Elam-09-20-21-0100, am I correct that this  
4 chart identifies how many students were attending Elam  
5 Alexander Academy on September 3rd, 2021, disaggregated  
6 by sending county?

7 MS. TUCKER: One second. Someone joined. Is  
8 it muted? Oh now it is. Okay, Franny.

9 Q BY MS. TUCKER: Sorry about that.

10 A Uh-huh.

11 Q Okay. Let's take a step back. This page that  
12 you're looking at, am I correct that it identifies how  
13 many students were attending Elam Alexander Academy on  
14 September 3rd, 2021, disaggregated by sending county, as  
15 well as whether the student was enrolled in Milestones or  
16 GAA?

17 A Correct.

18 Q Okay. So I'm correct, then, that there were  
19 243 students attending Elam Alexander Academy on  
20 September 3rd, 2021?

21 A Correct.

22 Q Okay. With -- just making sure I understand.  
23 154 students from Bibb County?

24 A Correct.

25 Q 12 students from Crawford County?



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1 A Correct.

2 Q 35 students from Houston County?

3 A Yes.

4 Q Okay. Just going down.

5 A Yes.

6 Q Great. Thank you.

7 Looking at these numbers, would you agree that  
8 there is a higher number of students from Bibb County  
9 compared to the other counties served?

10 A Yes.

11 Q Okay. Why do you think that is?

12 A They request more services. They -- we have a  
13 lot of students that are -- we have a lot of homes, like  
14 a Methodist home, Georgia industrial home, pop-up homes,  
15 things like that, and each county's continuum looks  
16 different. Like how they provide services looks  
17 different.

18 Q Okay. And what do you mean by "continuum"?

19 A So some counties may have more self-contained  
20 classrooms for EBD or GAA, whatever it may be, however  
21 they create their continuum, and some do not.

22 Q Okay. So are you saying Bibb County has less  
23 classrooms in the continuum on their own to serve --

24 A Correct.

25 Q -- to serve students in -- it's okay -- with

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1 the characteristics of an emotional behavioral disorder?

2 A Yes.

3 Q Okay. So do you think -- so it's that Bibb  
4 County has less of those classrooms?

5 A Yes.

6 Q Okay. And then how would you describe the  
7 characteristics associated with emotional behavior  
8 disorders?

9 A It could be internal or external. It's -- it  
10 could be externally physical aggression, verbal  
11 aggression, threats to harm others, self. Internal is  
12 more suicidal, homicidal, self-injurious behaviors, how  
13 their thought process, things of that nature.

14 Q Okay. Thank you.

15 And why do you think Bibb County has less of  
16 these classrooms outside of the GNETS?

17 A That has to do with how they do their  
18 programming. So that's completely separate from my role.

19 Q Okay.

20 A I can't answer that question, is what I'm  
21 saying.

22 Q Thank you.

23 Okay. I know we've mentioned Milestones and  
24 GAA throughout, but I would love to dive a little bit  
25 deeper into those. What does Milestones mean?

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1           A    So Milestones are those that are working on the  
2   traditional curriculum, those that gen ed kids would  
3   access. Those are the kids that are working for their  
4   gen ed diploma.

5           Q    And is that the Georgia Milestones?

6           A    Yes.

7           Q    And that would lead to a general education high  
8   school diploma?

9           A    Correct.

10          Q    Okay. And then what does GAA mean?

11          A    Georgia Alternate Assessment.

12          Q    And can you -- what -- what is a Georgia  
13   Alternate Assessment?

14          A    So that's a different type of test. The actual  
15   GAA is 2.0. It's a test. It's like the Milestones, but  
16   it's a test, a standardized test that they give to  
17   students that are on that curriculum. But those are the  
18   students that are more cognitively delayed.

19          Q    Okay. The students on the GAA track that you  
20   described as more cognitively delayed, do they also show  
21   characteristics of emotional behavioral disorder?

22          A    Yes, they can.

23          Q    They can?

24          A    Uh-huh.

25          Q    Do they in the GNETS program?

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1 A Yes.

2 Q Is that required?

3 A It's through the -- it's through an IEP  
4 process. So if the IEP team thinks that they do, then  
5 they do.

6 Q Okay. And earlier you mentioned there are less  
7 GAA students --

8 A Uh-huh.

9 Q -- than there used to be, correct?

10 A Yes.

11 Q Okay. And then has the numbers of Milestones  
12 students changed over time?

13 A We've had a decrease all together.

14 Q Okay.

15 A Yeah.

16 Q Do you think there is a decrease of one  
17 population more than the other?

18 A For me, I would say off the top of my head,  
19 probably GAA, just because that's been a big push for us.

20 Q Uh-huh. Okay.

21 And then are there other tracks not captured by  
22 Milestones or GAA?

23 A No.

24 Q Okay. All right. We are going to come back to  
25 this electronic exhibit, but I am going to show you a

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1 paper exhibit as well.

2 A Okay.

3 MS. TUCKER: So I'd like the court reporter to  
4 mark this document as Plaintiff's Exhibit 566.

5 (Plaintiff's Exhibit 566 was marked for  
6 identification.)

7 Q BY MS. TUCKER: Okay. The Bates number on the  
8 first page of this document reads GA00322208. This is an  
9 e-mail thread between you and Vickie Cleveland, dated  
10 May 16th, 2018, and the subject reads, "GAA Guidance."

11 Ms. Cole, do you recognize this e-mail thread?

12 A Yes.

13 Q Okay. Let's go to the earliest e-mail in the  
14 thread with a time stamp of 12:07 p.m. at the bottom.

15 Do you see it?

16 A Yes.

17 Q Okay. Do you see where you wrote, quote -- and  
18 this is to Vickie Cleveland with GaDOE: "Can you give me  
19 some guidance in regards to staffing in new students into  
20 these types of classrooms?"

21 Oh, I apologize. I -- scratch that. Let's go  
22 to the earliest e-mail with the time stamp of 12:07 p.m.  
23 Do you see where you wrote, "I know that GNETS providing  
24 main center services for students that are served through  
25 the GAA has been an issue."

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1 What do you mean by "has been an issue"?

2 A So that came to my attention early on when I  
3 became director.

4 Q Uh-huh.

5 A Because every GNETS program is different, and  
6 so some -- well, most have a smaller number of students  
7 that are GAA, and we are probably the largest program in  
8 the state --

9 Q Uh-huh.

10 A -- for students of GAA, that are under GAA.  
11 And so it became an issue that we really needed to  
12 reintegrate those students back out because about  
13 appropriateness of the setting.

14 Q Okay. How -- how did it become an issue how --

15 A So it was brought to me early on, I believe,  
16 and it was Nakeba that was the program specialist at DOE.  
17 When she first came in and did a site visit, it was like,  
18 yeah, I just don't think this is appropriate.

19 Q And why was it not appropriate?

20 A She didn't feel like those students should be  
21 served in a GNETS setting, that they could be served at  
22 their districts.

23 Q Okay. And this is Nakeba Rahming?

24 A Yes.

25 Q Who was with the Georgia Department of Ed?

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1 A Yes.

2 Q And she raised this to you in feedback?

3 A Yes.

4 Q Okay. And then do you see where you wrote,  
5 "Can you give me some guidance in regards to staffing in  
6 new students into these type of classrooms? Should I  
7 just allow it be an IEP decision?"

8 A Correct.

9 Q What did you mean?

10 A So an IEP team can make that decision. It's  
11 not a one-person decision. So if I, you know, felt like  
12 it was an inappropriate placement, but I'm just one  
13 member of the committee. I can't stop a placement.

14 Q Uh-huh.

15 A That's not my role. So that's what I was  
16 asking, should the IEP be able to convene and make that  
17 decision.

18 Q Uh-huh.

19 A Even though, say, I didn't feel like that was  
20 the best decision to be made or it was appropriate. And  
21 that's what I was asking.

22 Q I understand.

23 What guidance did Vickie Cleveland provide to  
24 you?

25 A Take it through the IEP.

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1 Q Take it through the IEP. Okay.

2 And did you have additional follow-up with  
3 Vickie Cleveland after this e-mail thread about the GAA  
4 quote/unquote issue?

5 A This is something we talk about quite often,  
6 so --

7 Q Okay.

8 A -- yes.

9 Q Okay. Has Vickie Cleveland expressed the same  
10 concerns that Nakeba Rahming expressed?

11 A Yes.

12 Q Okay. Why did you write to Vickie Cleveland  
13 with this question?

14 A Because I wanted the answer in writing.

15 Q Okay. Do you write -- why?

16 A Because I wanted to be able to have something  
17 in writing when I -- when I'm talking with other  
18 directors of why we can't take students of this nature.

19 Q Have you had conversations with other directors  
20 about the GAA student population?

21 A Yes. Oh, you mean special ed directors or  
22 GNETS directors?

23 Q What did you mean?

24 A I meant special ed directors, yes.

25 Q Okay.



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1 A Yes.

2 Q So you've had conversations with special  
3 education directors?

4 A Yes.

5 Q In your eight counties?

6 A Yes.

7 Q Okay. What did you tell them?

8 A We need to look at the appropriateness and look  
9 at reintegrating students back into their -- to their gen  
10 ed setting.

11 Q Did any special education directors express  
12 concerns or have questions?

13 A Absolutely.

14 Q Can you talk more about that?

15 A Sure. So the -- the majority of these students  
16 can be very physically aggressive. They do have --  
17 exhibit these type of behaviors of physical aggression or  
18 whatnot, and they rely heavily on GNETS for assisting  
19 with those services. So that was a lot of the feedback,  
20 is they were concerned about how they were going to  
21 program these students when they get back.

22 Q Okay. Many have reintegrated; is that correct?

23 A Substantially, I would say. I mean, when I  
24 first became director, we were at 120 or so GAA students,  
25 and we're closer to 61, 62.

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1 Q Okay. And how is it working for them in their  
2 home schools?

3 A So far so good.

4 Q And by "home schools," do we have the same  
5 understanding that that's a neighborhood school, or is it  
6 something different?

7 A It depends on how they program. So certain  
8 districts may have a GAA classroom in each home school or  
9 they may have a cluster. They may have them in a certain  
10 zone. So it's not necessarily that there's a GAA  
11 classroom in every school.

12 Q Got it. So if -- to make sure I understand  
13 correctly, I -- if I was a GAA student who was  
14 reintegrated back to a, quote/unquote, home school, it  
15 may not be my neighborhood school?

16 A Correct.

17 Q Okay. But it's a general education school?

18 A Correct.

19 Q Thank you.

20 And did you speak with any other GNETS  
21 directors about this issue?

22 A I mean, not really. We have conversations  
23 about how that's -- you know, I have the highest number  
24 and how this is a continual push for me.

25 Q Uh-huh. When do you have those conversations

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1 with the other GNETS directors?

2 A Not often.

3 Q Okay. Do you -- are there other regional GNETS  
4 programs that have also a high number of GAA students?

5 A I don't believe so. I think there is only  
6 maybe -- I think maybe -- Haven may have 15 or 16.

7 Q Okay.

8 A I'm not sure.

9 Q 15 or 16 students?

10 A Right.

11 Q Okay.

12 A Yeah, so nothing to the degree that we have.

13 Q Okay. Thank you, Ms. Cole.

14 And you mentioned that you wrote to Vickie  
15 Cleveland because you wanted this in writing?

16 A Yes.

17 Q Yes. Do you write to her other times asking  
18 for guidance in writing?

19 A If I want anything in guide, I will write it to  
20 anyone. I want any -- it's not just Vickie; it would be  
21 anybody.

22 Q Right. It's your practice?

23 A It is my practice.

24 Q Okay. What other topics have you written to  
25 Vickie Cleveland about that you wanted in writing?

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1 A Maybe about when we were implementing  
2 trauma-informed care.

3 Q Uh-huh.

4 A I think I put that in writing. I'm not sure if  
5 I did or not. And I was kind of using -- instead of  
6 using the trauma-informed care, I was using restorative  
7 practices in place of that, just to make sure it met the  
8 same standard of practice. I can't -- but outside -- or  
9 if I'm kicking back the grant back and forth of changing  
10 locations, you know, I need you to send this back to me  
11 so I can upgrade or update and move on. Things like  
12 that.

13 Q Thank you.

14 MS. TUCKER: I'm going to introduce another  
15 exhibit that I'd like the court reporter to mark as  
16 Plaintiff's Exhibit 567. There you go.

17 (Plaintiff's Exhibit 567 was marked for  
18 identification.)

19 Q BY MS. TUCKER: Ms. Cole, the Bates number on  
20 the first page of this exhibit reads, GA00338963. This  
21 is an e-mail thread where we have redacted student  
22 personal identifiable information, and the most recent  
23 e-mail is dated January 15th, 2019, from you to Vickie  
24 Cleveland, and LaKesha Stevenson is copied. And the  
25 subject reads, "ID Enrollment Information."

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1 Ms. Cole, do you recognize this e-mail thread?

2 A I do.

3 Q Let's start with the earliest e-mail with the  
4 time stamp of January 15th at 10:27 a.m. And this is an  
5 e-mail from Vickie Cleveland to you. Do you see where  
6 Vickie Cleveland writes, "I have reviewed the Au/MID/MOID  
7 data that you submitted"?

8 What does Au/MID/MOID refer to?

9 A So that's autism, mildly intellectually  
10 disabled, and then moderately.

11 Q Moderately?

12 A Intellectually disabled.

13 Q Thank you.

14 And what data is Vickie Cleveland referring to  
15 that you submitted?

16 A So I think in 2019 she was pulling numbers.

17 Q Okay.

18 A I can't -- I think it was, but we would -- from  
19 time to time she would request numbers, you know, of  
20 eligibility categories, things like that. I'm thinking  
21 that's what it was.

22 Q So Vickie Cleveland requested eligibility --  
23 student eligibility information related to your student  
24 population?

25 A Yes, but I think she requested it statewide.

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1 Q Statewide?

2 A Yeah, for all of our -- all of the GNETS.

3 Q For all regional GNETS --

4 A Uh-huh.

5 Q -- programs?

6 And this time it was focused on Au, MID, and  
7 MOID?

8 A Yes.

9 Q Okay. And does Vickie Cleveland -- how often  
10 does she request this type of data?

11 A Not often.

12 Q Okay. And by "not often," do you mean annually  
13 or?

14 A Not annually.

15 Q Okay.

16 A But sometimes it's -- I have to think. No,  
17 it's not. I was going to say sometimes we submit it  
18 through the grant, but we do not.

19 Q Student eligibility information?

20 A Right.

21 Q Is not in the grant?

22 A No.

23 Q Okay. And this was data that Vickie Cleveland  
24 had requested of you?

25 A Yes.

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1 Q In all the regional GNETS programs?

2 A Yes.

3 Q Okay. Do you see that she continues, "I have  
4 concerns regarding the enrollment numbers for these  
5 disability categories," and that she wanted to discuss,  
6 quote, the LRE of these students, end quote.

7 Do you see that?

8 A Yes.

9 Q Okay. What concerns did Vickie Cleveland share  
10 regarding the enrollment numbers for these disability  
11 categories?

12 A I can't -- probably the same as -- I'm gonna  
13 say the same conversation; that they're not appropriately  
14 placed.

15 Q Okay. Would these be GAA students?

16 A Yes, these are GAA students.

17 Q Okay. And has she expressed those concerns in  
18 writing or on the phone or in person?

19 A Both.

20 Q Okay. And this is regular?

21 A I think the -- I called her about this probably  
22 two months ago.

23 Q Okay.

24 A Because I was revisiting this again. It's  
25 something I've been on for a while.

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1 Q Yes.

2 A But prior to that, I wouldn't say it's regular.

3 Q Okay. This is consistent, though, with the  
4 conversations you were having with Nakeba Rahming as  
5 well?

6 A Yes.

7 Q Okay. And what is meant by "LRE" here when  
8 Vickie uses it?

9 A That's least restrictive environment.

10 Q Okay. And what did she want to discuss with  
11 regard to the least restrictive environment of those  
12 students?

13 A She's asking if we don't need to discuss a  
14 transition back to their home school.

15 Q Okay.

16 A If they couldn't be served at their least  
17 restrictive environment outside of GNETS.

18 Q Okay. Understood.

19 A Uh-huh.

20 Q Thank you.

21 And then let's look at the e-mail that you sent  
22 in response, the one right above it, with the  
23 5:06:56 p.m. time stamp. Do you see where you wrote, "I  
24 still have requests for placement for GAA students... do  
25 I need to tell them no more?"



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1 A Correct.

2 Q What did you mean here?

3 A I meant do I not -- do I need to tell them I'm  
4 not even going to honor an IEP meeting; you can't call --  
5 call our team to an IEP meeting? That's what I was  
6 asking, do I need to tell them, no, we will not  
7 participate in IEP meetings.

8 Q And who is "them?"

9 A Any county that -- any of my LEAs that request  
10 services.

11 Q Okay. So you -- were you asking Vickie that  
12 you would need to tell the districts that you would not  
13 entertain a GNETS placement for these students?

14 A Correct.

15 Q Okay. And what was Vickie Cleveland's response  
16 to you?

17 A I don't remember. I remember I have received  
18 guidance that you can't deny someone a meeting. Like if  
19 they request this of you, you have to come to the table.

20 Q Okay. Got it.

21 And then when Nakeba Rahming said that she did  
22 not think GNETS was an appropriate placement for the GAA  
23 students, why? What did she say? Why?

24 A Because it's -- their behavior is more  
25 characteristic of their disability. So students that are

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1 maybe nonverbal, they may be hitting because that's their  
2 means of communication.

3 Q Okay.

4 A And it was not an emotional behavior. It's not  
5 derived from an emotional behavior.

6 Q Understand.

7 So GNETS program would be instead -- it's  
8 supposed to serve students with the emotional behavioral  
9 disorder characteristics?

10 A Right. Have some sort of an emotional  
11 component to it.

12 Q Thank you.

13 And did Vickie Cleveland share the same  
14 thought?

15 A She does share the same thought --

16 Q Okay.

17 A -- that they need to have some sort of  
18 emotional component.

19 Q Okay. Thank you.

20 MS. TUCKER: I'm going to introduce another  
21 exhibit. I'd like the court reporter to mark this  
22 document as Plaintiff's Exhibit 568.

23 (Plaintiff's Exhibit 568 was marked for  
24 identification.)

25 Q BY MS. TUCKER: Okay. This is an invite for a

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1 November 6th, 2017 event titled, "Save the Date: GNETS  
2 Guidance on Assessing Low Functioning and ASD Students."  
3 This is from Nakeba Rahming with GaDOE. The Bates number  
4 on the bottom of the page reads, "GA00132578."

5 Ms. Cole, do you recognize this invite?

6 A Yes.

7 Q Okay. And do you recognize -- do you remember  
8 this training?

9 A No.

10 Q Okay. Have -- do you -- have you received any  
11 guidance on assessing low functioning in ASD students?

12 A Assessing them?

13 Q According to the invite subject.

14 A No.

15 Q Okay.

16 A Do you mean assessment like testing?

17 Q I -- I would ask you based on the invite?

18 A I don't remember this training, so I'm not sure  
19 what she meant by assessing.

20 Q Okay. Do you think you attended?

21 A I'm sure I did.

22 Q Okay.

23 A If it was required, I -- I'll go.

24 Q And what is meant by "ASD students"?

25 A Those are the autism spectrum disorder.

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1 Q Do you think this training would have related  
2 to the GAA student population?

3 A It could. It could also be Milestones, because  
4 you have some students that are -- have that eligibility  
5 but they're Milestones.

6 Q Okay.

7 A So they're higher functioning.

8 Q Okay. Thank you.

9 A Uh-huh.

10 Q We're gonna turn back to the electronic exhibit  
11 that we were looking at, the Exhibit 565. We are going  
12 to go to the second page. Just one second.

13 A Uh-huh.

14 Q Let me know if you can see it.

15 A I can, but it's really tiny.

16 Q It is small, so we're gonna have to zoom in --

17 A But I understand what it is, yeah.

18 Q We'll -- we'll zoom in for you.

19 A Okay.

20 Q Okay. Thank you.

21 And the bottom of page 2 reads, "Elam  
22 09-20-21-0101." And, again, this -- we decide -- we have  
23 confirmed that this is the enrollment data from  
24 September 3rd, 2021.

25 Before we -- yeah, I think where it is right

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1 now, would you agree that this page identifies the  
2 students at Elam Alexander Academy Burke Campus enrolled  
3 in the Georgia Milestones program?

4 A Yes.

5 Q And then this is disaggregated by classroom?

6 A Yes.

7 Q And then looking at the page as a whole, would  
8 you agree that there are nine Georgia Milestone  
9 classrooms at Elam Alexander Academy on September 3rd,  
10 2021?

11 A Yes.

12 Q Okay. So we'll zoom in on one -- one  
13 classroom, because I'm going to ask a question about the  
14 column headers.

15 A Okay.

16 Q Let me know when you can see.

17 A I can see it.

18 Q Okay. Thank you.

19 So what does the third column represent?

20 There's no header, but students have responses of "SP" or  
21 "OT" next to their names.

22 A So that's related services.

23 Q Okay. Related services?

24 A Uh-huh.

25 Q And what do you mean by "related services"?

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1 A If they receive speech or occupational therapy.  
2 That's what SP, speech, and OT is occupational therapy.

3 Q Thank you. Okay.

4 And then if they do not -- if it's blank, they  
5 do not receive related services?

6 A Correct, through the IEP.

7 Q Through the IEP. Would that be the only way a  
8 student would receive those services in GNETS?

9 A Yes.

10 Q Thank you.

11 What does the fourth column represent with the  
12 header "GR"? So, for example, if you scroll down to  
13 classroom 207, there are numbers 4 through 6. Would that  
14 be grade?

15 A Yes.

16 Q Okay. For the current school year, what is the  
17 largest range of grades in one classroom at the Burke  
18 Campus in the Milestones classrooms?

19 A In Milestones, it would be three.

20 Q And what grades are those?

21 A It could be K through 3.

22 Q Uh-huh.

23 A 3 through 5.

24 Q Uh-huh.

25 A Or 6 through 8.

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1 Q Okay. And then what about in the GAA  
2 classrooms?

3 A It would be four, because we have 9th through  
4 12th grade. We have a class of 9th -- well, three  
5 classrooms, 9th through 12th.

6 Q Thank you.

7 A Uh-huh.

8 Q Looking at the fifth column, the header reads,  
9 "CO"?

10 A Yes.

11 Q And then I see responses of B, P, T, S, H, JA  
12 and J. What does, first, a CO mean?

13 A County.

14 Q County. And then what does B mean?

15 A Bibb.

16 Q P?

17 A Peach.

18 Q T?

19 A Twiggs.

20 Q S? Is there an S?

21 A I don't see an S.

22 Q Let me look. Okay, maybe no S. It is small to  
23 read, so that might have been my -- my sight.

24 H?

25 A Houston.

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1 Q Okay. JA?

2 A Jasper.

3 Q And J?

4 A Jones.

5 Q Thank you.

6 And then what does the sixth column represent  
7 with the header "SEG"? I see responses with various  
8 numbers.

9 A That's segments.

10 Q And what does that mean?

11 A How many IEP segments they receive of GNETS.

12 Q Okay. So if I was looking at the top  
13 classroom, at student -- the first student, it says,  
14 "29.5."

15 A I'm not looking at what you're looking at.

16 Q Okay. I apologize.

17 MS. CHEVRIER: Which is it?

18 MS. TUCKER: The top classroom.

19 Q BY MS. TUCKER: Okay. The first student, SEG  
20 reads "29.5." And then below that that reads "30", and  
21 then "30."

22 A Right.

23 Q What -- what does that mean?

24 A That's the GNETS segments.

25 Q Right. But what is that?



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1 A So that's like their academics. So they can  
2 have five -- five segments of ELA, science, social  
3 studies, social skills, so 29.5. But I think he also --  
4 that child receives speech, so .5 is speech.

5 Q How many total segments should -- are there  
6 total?

7 A 30.

8 Q Okay. So 30 is a whole day?

9 A Correct.

10 Q Okay. How is that defined? Is it by half hour  
11 or --

12 A So it's per county. So like Houston County  
13 goes by minutes. Some go by hours. So that's who --  
14 whatever IEP platform we are working on.

15 Q Okay. But 30 is the total for Bibb County or  
16 in general?

17 A In general.

18 Q Okay. Thank you.

19 So for a student to - if segment is 30, they  
20 spend their whole day within GNETS?

21 A Correct.

22 Q Okay. Thank you.

23 And then the seventh column, if I read that, it  
24 reads, "IEP end date"?

25 A Yes.

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1 Q What does that mean?

2 A That is when the IEP ends. So we need to --  
3 this is for the teachers to know that you have an IEP  
4 coming up; we're going to have to schedule an annual  
5 review. And we have a whole process for that. So that's  
6 just putting it on their radar, that you may have an IEP  
7 coming up.

8 Q Okay. And then the eighth column is "ELIG."  
9 And then what does that mean?

10 A Eligibility.

11 Q Okay. And I see EBD, and we agreed to what  
12 that meant.

13 Is AUT the same as AU?

14 A Yes.

15 Q Okay. And that was?

16 A Autism.

17 Q And then OHI?

18 A Is other health impairment.

19 Q And what's SDD?

20 A I knew you were about to ask me that. It's  
21 about to just completely go. It's developmentally  
22 delayed, but it's before you can -- it's by the age of  
23 eight or nine.

24 What is the S? You can't answer that.

25 MS. SOLOMON: I can't answer.

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1 THE WITNESS: I know.

2 Q BY MS. TUCKER: So it's?

3 A It's developmentally delayed.

4 Q Developmentally delayed?

5 A Yes. Yes.

6 Q Thank you, Ms. Cole.

7 A Okay.

8 Q I'm not trying to quiz you.

9 A No, you're fine. It's going to come to me, and  
10 I'm going to shout it out probably like in an hour.

11 Q That would be great. Yeah.

12 A Or at 3 o'clock in the morning.

13 Q Yeah. You don't need to shout it then.

14 Would you agree that the majority of students  
15 at the Burke Campus in Milestones have the eligibility of  
16 EBD, looking at this if you want to?

17 A At this one class?

18 Q No, I would scroll down.

19 A Okay.

20 Q I will give you a minute to look at every  
21 classroom.

22 A Yes.

23 Q We'll let you scroll all the way down.

24 A Yes.

25 Q Okay. Is that the same for this current school

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1 year, that is the 2022/'23 school year?

2 A Yes.

3 Q Okay. And then earlier you mentioned that  
4 there is some classrooms that are kindergarten through  
5 3rd, and then some that are 3rd through 5th; is that  
6 correct?

7 A Yes.

8 Q How would you decide which classroom a 3rd  
9 grader would go into?

10 A For Milestones, it would be functioning level.  
11 So if they are higher functioning or academically higher  
12 than the other, then it would go -- it would kick up.

13 Q Okay. And then what about in a GAA classroom?  
14 Did it have that same breakdown or no?

15 A Well, you have different type of GAA students.  
16 You have some that might be nonverbal. You may have some  
17 that -- it depends on their grade level and  
18 characteristics.

19 Q Okay. Thank you.

20 A Uh-huh.

21 Q Okay. I want to -- I'm going to have Claire  
22 scroll just a little bit more towards the bottom so you  
23 can see those two bottom charts.

24 Do you see them?

25 A Yes.

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1 Q Okay. Thank you.

2 Am I correct at the bottom of this page, the  
3 chart all the way at the bottom on the left, identifies  
4 the sending school districts for Burke Campus, as well as  
5 the total number of students?

6 A Yes.

7 Q Then am I correct the table identifies 73  
8 students total?

9 A Yes.

10 Q Okay. There's a table to the right of that, a  
11 very little table. Do you see it?

12 A Yes.

13 Q It identifies 75 students, correct?

14 A I can't -- I think it may. It may.

15 Q If you can zoom in.

16 A Yes.

17 Q Okay.

18 A I can see it.

19 Q How -- what is -- where are the two students,  
20 missing students?

21 A That's a good question. I don't if that's like  
22 a typo. I have no idea.

23 Q Okay.

24 A Yeah.

25 Q Got it.

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1           You would expect that these charts have the  
2 same number?

3           A    Yes.

4           Q    Okay. Thank you.

5           And how many students are at Burke Campus in  
6 Milestones right now?

7           A    I think the last time I looked was 70, 71.

8           Q    Okay. Thank you.

9           So earlier I know we -- we spoke about this a  
10 little bit. But Bibb County has a large amount of  
11 Milestone students in your GNETS program, but there's  
12 also -- at the Burke Campus?

13          A    Yes.

14          Q    But there's also school-based GNETS sites  
15 within Bibb County that serve Milestone students,  
16 correct?

17          A    Yes.

18          Q    How is that assignment determined then?

19          A    So that's based on -- that's -- that's part of  
20 our continuum.

21          Q    Okay.

22          A    So if you have behavioral goals and for  
23 physical aggression, whatever it may be, and you come  
24 into the main center, then we are constantly monitoring  
25 those. If you are close to meeting those goals, say its

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1 maintain, you know, or refrain from physical aggression  
2 for 90 percent, whatever, you're at closer to 80, 85  
3 percent. Then we know that we need to start moving you  
4 out. And so those are the kids that start moving to the  
5 satellite classrooms --

6 Q Uh-huh.

7 A -- that you saw, because it's still a GNETS  
8 teacher. Then we start pushing them out to one to two  
9 classes. They are successful there, then we move them  
10 back to their home school.

11 Q Do all students in Bibb County that are placed  
12 in GNETS start in a center and then move to a satellite?

13 A No. It's an IEP team decision.

14 Q Okay. And do all students transition from a  
15 center to a satellite before their home school?

16 A No. IEP decision.

17 Q Okay. Thank you.

18 Okay. If you look back at the chart on the  
19 left, there's one student from Crawford County, correct?

20 A Yes, I think so.

21 Q Okay. How far is Crawford County from Bibb  
22 County?

23 A I have no sense of direction. 30, 35 minutes,  
24 40.

25 Q Okay.

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1 A It depends on how fast you drive.

2 Q Would that student be arriving by bus?

3 A Yes.

4 Q Okay.

5 A They're all -- every county provides  
6 transportation.

7 Q Okay. So 35, 40 minutes, is that what you  
8 said?

9 A Yes.

10 Q Okay. And it looks like there's four students  
11 from Houston. How far is that from Bibb County?

12 A Houston is a big county, so it depends on where  
13 they are coming from.

14 Q Okay.

15 A I would say the same or if not more. And so is  
16 Crawford. It depends on where you are located in the  
17 county.

18 Q Okay. Of the sending school districts, looking  
19 at the list, which is the furthest?

20 A Jasper.

21 Q Jasper. And how far is Jasper?

22 A Probably more 45 minutes.

23 Q Do you think the longest ride to Bibb -- to the  
24 Burke Campus is 45 minutes?

25 A I have no idea.



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1 Q Okay.

2 A It depends on their route, how many students  
3 are on the bus.

4 Q Okay.

5 A So I don't know how long a student is on a bus.

6 Q Is that information that you have tracked?

7 A No.

8 Q Okay. Have you ever heard complaints about  
9 long bus times?

10 A Yes.

11 Q What have you heard?

12 A That they're on the bus too long.

13 Q Okay. And what has been a number that's been  
14 thrown at you that's too long?

15 A Like an hour and a half.

16 Q Okay. Do students who are on the bus for an  
17 hour and a half each way, is some of their school day  
18 cut?

19 A No.

20 Q Okay.

21 A That's an IEP decision, if it's gonna be a  
22 half-day student or a full-day student.

23 Q Okay. So would, let's say -- what time does  
24 school start at Burke Campus?

25 A 8:00.

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1 Q So if I was an hour and a half away, I would be  
2 picked up an hour and a half earlier, or would I  
3 potentially be arriving to Burke Campus late?

4 A No, you would still arrive on time.

5 Q Okay. And I would leave when it ends?

6 A Yes.

7 Q Okay. And what time is that?

8 A 2:00, 2:30.

9 Q Okay.

10 A We start dismissal at 2:00.

11 Q Okay. Got it. And then there is 30 minutes to  
12 get kids out the door?

13 A Well, sometimes the county buses or Bibb  
14 County, it depends on the route. So some buses may come  
15 right at 2:00 and want to go in and pick up. Some, you  
16 know, get there at 2:30.

17 Q Okay.

18 A Uh-huh.

19 Q Thank you.

20 Earlier we were -- when you were talking about  
21 students transitioning to their neighborhood school or a  
22 home school that has -- or a general education school  
23 that has a program or a classroom within, you spoke about  
24 goals that students have?

25 A IEP goals?

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1 Q IEP goals, is that what you are referring to?

2 A Yes.

3 Q Okay. Do students have the same IEP goals to  
4 leave GNETS?

5 A As each other?

6 Q Uh-huh.

7 A No.

8 Q Okay. How is that determined?

9 A The students' needs.

10 Q Okay. Are there any general requirements that  
11 students have to meet to exit?

12 A You mean their IEP goals?

13 Q Uh-huh.

14 A They have to meet their IEP goals.

15 Q But there's -- is there a general IEP goal that  
16 is included for your GNETS students to transition?

17 A You mean like across the board like one?

18 Q Yeah.

19 A No.

20 Q Okay.

21 A No.

22 Q Thank you.

23 A You're welcome.

24 Q Okay. Let's go to the third page, if Claire  
25 can scroll down.

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1 Okay. Scroll up a little. To the top. Okay.

2 Am I correct that this page identifies the  
3 students at Elam Alexander Academy Burke Campus enrolled  
4 by the -- enrolled in the GAA program?

5 A Yes.

6 Q Okay. And this is also disaggregated by  
7 classroom?

8 A Yes.

9 Q Okay. So I would be correct -- if Claire zooms  
10 out -- that there are nine -- there were nine GAA classes  
11 at the Burke Campus at that time?

12 A Yes.

13 Q Okay. And the columns represent the same as  
14 the page prior?

15 A Yes.

16 Q Okay. So could we look at Room 403. Do you  
17 see it? It is -- it's on the right column, second down.  
18 Do you see it?

19 A Not yet. She's still scrolling.

20 Q Okay. Got it.

21 Do you see it, Ms. Cole?

22 A She's going to need to zoom back in.

23 Q Okay.

24 A Yes, I can see it.

25 Q Okay.

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1 A Thank you.

2 Q Thank you.

3 It looks like -- I see there is one student  
4 here and on this page that is identified as EBD?

5 A Yes.

6 Q Okay. And then how would this student be  
7 placed in GAA versus Milestones?

8 A If they moved them to the GAA track, if the IEP  
9 team --

10 Q Okay.

11 A -- moved them to the GAA track.

12 Q Would it be -- is it less likely, though, for  
13 GAA students to have EBD as their primary?

14 A It should be. I think that's the flag in FTE.

15 Q A flag in?

16 A So I don't think you can have an EBD  
17 eligibility and be served under GAA. That's a -- that's  
18 typically a flag.

19 Q So this would be a flag?

20 A Yes.

21 Q Okay. Do you know if this year in your Burke  
22 GAA classrooms if there is any student with an EBD?

23 A I can't recall off the top of my head. I'd  
24 have to look, but I wouldn't say there's -- if there's --  
25 not many, if there are.

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1 Q Okay. And it would be a flag?

2 A Yes.

3 Q And what does it mean by a flag?

4 A It just flags up in the -- up in DOE where they  
5 have all their FTE stuff.

6 Q It flags in the Georgia Department of  
7 Education?

8 A Yes.

9 Q For FTE?

10 A Yes.

11 Q And why is that?

12 A I have no idea.

13 Q What is FTE?

14 A Full-time equivalent.

15 Q Does that have to do with funding?

16 A Yes.

17 Q Is there different funding for Milestone  
18 students and a GAA student?

19 A There is different funding for each eligibility  
20 category.

21 Q Okay.

22 A They hold different weight.

23 Q Got it. Thank you.

24 A Uh-huh.

25 Q We can scroll down to the bottom tables in a

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1 moment. The -- okay. Am I correct that this page  
2 identifies also the sending -- the sending counties, that  
3 last table?

4 A Yes.

5 Q It's the same? Okay.

6 And then there is 70 students total?

7 A Yes.

8 Q Okay. And again, there's a larger number from  
9 Bibb County?

10 A Yes.

11 Q And that is because Bibb County has less  
12 classrooms in the continuum?

13 A I can't speak to that for their GAA.

14 Q Okay.

15 A I'm not sure about that.

16 Q Okay. You could speak to it for the  
17 Milestones?

18 A Yes.

19 Q Okay. Do you know how a student in GAA would  
20 be placed in GNETS compared to a GAA in their general  
21 education environment?

22 A I don't think I understand the question.

23 Q Yeah. I -- I appreciate that.

24 So earlier you said -- and correct me if I'm  
25 wrong -- that there were less classrooms in the continuum

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1 in Bibb County to serve EBD students who are on the  
2 Milestones track. Am I correct?

3 A Correct.

4 Q And you're not sure if there's less classrooms,  
5 you know, in the general education setting to serve GAA  
6 students in Bibb?

7 A I am not sure about that.

8 Q That's what you're not sure about?

9 A Yeah.

10 Q Thank you. We are on the same page now.

11 A There you go.

12 Q At the Burke Campus, are the GAA and Milestone  
13 students, do they ever interact together?

14 A Yes.

15 Q In what ways?

16 A Common areas. You know, it's a -- it's a  
17 building so they share, you know, the cafeteria together,  
18 hallways. They are going to PBIS room. PBIS functions,  
19 like when we have our monthly celebrations. If we ever  
20 have field trips. Things of that nature.

21 Q Okay. Field trips are together?

22 A Sometimes, yes, uh-huh.

23 Q Are the hallways separate?

24 A No -- well, I would say that the high school  
25 hall is separate. That's only GAA. And then the middle



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1 school is separate, yes.

2 Q Okay.

3 A But then I have GAA on the K through 5 hall, so  
4 they are kind of intermingled there.

5 Q Okay.

6 A It's really more separated by K through 5, 6  
7 through 8. And then I do have GAA 6 through 8 by the  
8 instructional coach. And then 9th through 12th, because  
9 that's all we serve at Burke --

10 Q Uh-huh.

11 A -- is GAA for 9th through 12th.

12 Q Thank you.

13 A Uh-huh.

14 Q Okay. Let's turn to the fourth page. Okay.

15 At the top, do you see that it says, "Southwest  
16 Campus Adolescent Services"?

17 A Yes.

18 Q Okay. And then if Claire can zoom out a little  
19 bit.

20 Would I be correct -- I think a little bit  
21 more -- that there are six classrooms?

22 A Yes.

23 Q Okay. And then is this a combination of GAA  
24 classes and Milestone classes?

25 A No.

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1 Q It's just Milestone?

2 A Just Milestones.

3 Q Okay. Do you see notations that some students  
4 are half days?

5 A Yes.

6 Q Okay. And then why is that?

7 A It depends on the student. It may be that  
8 they're going back to their home school. It may be that  
9 they're going home. It may be that they're on some sort  
10 of work program. It depends on the student.

11 Q Do any of the half students -- half-day  
12 students at the adolescent services at Southwest Campus  
13 attend the rest -- the other half of the day at the  
14 Southwest High School?

15 A Some do.

16 Q Okay. Would students miss any school for  
17 travel time?

18 A For what travel time?

19 Q If I was going to a different high school.

20 A I mean, if they're on the bus, they're not in  
21 school.

22 Q Yeah.

23 A So --

24 Q Yes?

25 A Yes.

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1 Q Okay. Is that tracked?

2 A Not -- not by me.

3 Q Okay. Would it be -- who would it be tracked  
4 by, if anyone?

5 A I have no idea. Maybe a special ed director.

6 Q For their sending school?

7 A Yes.

8 Q Their home school?

9 A Or through, yeah, the county, LEA.

10 Q Thank you.

11 Let's scroll to the bottom. The box that you  
12 see. Claire will zoom in.

13 A Yeah, please.

14 Q Do you see that there are 55 students total --

15 A Yes.

16 Q -- in the column on the left?

17 A Yeah.

18 Q Okay. On the table on the left.

19 And then if Claire could scroll to the table on  
20 the right. It says, "47"?

21 A Yes.

22 Q Do you know why that is?

23 A Do you want my honest answer?

24 Q Yes.

25 A So Dixie --

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1 Q I want all of your honest answers today.

2 A Yes, yes, yes.

3 Q Okay.

4 A So Dixie Johnson used to manage this through --  
5 and so she just was not very careful with her numbers.  
6 So Alicia Craft is managing this now.

7 Q Okay.

8 A Yes.

9 Q Thank you.

10 A Yes, you're welcome.

11 Q Yes, all -- all honest answers during this  
12 conversation.

13 A Poor Dixie.

14 Q Yeah, as candid as --

15 A Yeah. Sweet Dixie.

16 Q Yeah, numbers aren't for everyone.

17 A No.

18 Q Let's look to the fifth page. Okay.

19 And would I be correct that these are the  
20 satellite classrooms for Elam Alexander within Bibb  
21 County?

22 A Yes.

23 Q Of last year?

24 A Yes.

25 Q Okay. I'd like to look at the second table in

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1 the left column that says "Southwest" at the top. Do you  
2 see that?

3 A Yes.

4 Q Okay. Thank you.

5 It looks at the bottom that there is three  
6 students included in the count. Do you agree with that,  
7 in that classroom?

8 A Yes.

9 Q Can you help me understand? It seems that  
10 there is three other students I -- it seems like there is  
11 three students that are counted, then number four, five,  
12 and then one under "Consultative" are not counted. Why  
13 is that?

14 A So I need to see -- can you scroll down?  
15 Because I'm not sure if that's the Milestones or the GAA  
16 classroom. No, I mean scroll up. I'm sorry.

17 Q I think scroll down.

18 A Okay.

19 Q So there's --

20 A So there's two at Southwest.

21 Q Yeah, uh-huh.

22 A So the one -- the one you were just referring  
23 to --

24 Q Uh-huh.

25 A -- if you scroll back to it now.

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1 Q Uh-huh.

2 A So those kids, some are consultative, so they  
3 don't receive a lot of services.

4 Q Uh-huh.

5 A It's just to touch base. And then if you look  
6 at the segment, so I have two only received five segments  
7 from that -- from our GNETS teacher.

8 Q Uh-huh.

9 A And one receives 14.5. So they're not in the  
10 GNETS class all day. That's what that means.

11 Q Okay. So the number three is counting?

12 A Just those top three, because they actually  
13 receive segments. Because the partial -- I can't -- I  
14 don't know who the student is because it's blocked out.

15 Q Yes.

16 A So it's probably more in the consultative.

17 Q Okay.

18 A Yeah.

19 Q And earlier we said segments were out of 30?

20 A Yes.

21 Q Okay. So this is 5, 5, and 14.5?

22 A Correct.

23 Q So what would you equate 5 to?

24 A One class.

25 Q One class?

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1 A Yes. And it's most likely like a social skills  
2 kind of class.

3 Q Okay. So 5 segments is one class, and 5 times  
4 6 equals 30; that's where we get the total of 30?

5 A Correct.

6 Q There's six classes?

7 A Correct.

8 Q Thank you.

9 Okay. Okay. And then you said consultative is  
10 a touch base?

11 A It depends if it's direct or indirect. So it  
12 could be that our teacher is talking with a teacher about  
13 what's going on, just making sure everything is fine. If  
14 it's not, it's where they're actually going in and  
15 working with a specific student on social skills.  
16 Something to that nature.

17 Q So you -- you would -- so this 5 consultative  
18 is one class?

19 A Correct.

20 Q Okay. And those students aren't counted in the  
21 total count?

22 A No.

23 Q Okay.

24 A No. Because I don't receive a lot of funding  
25 for those students.

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1 Q Okay.

2 A Yes.

3 Q Thank you.

4 A Uh-huh.

5 Q And why is that?

6 A Because they are not receiving direct services  
7 from GNETS like -- like a full-day service.

8 Q Okay.

9 A Because our -- well, go ahead.

10 Q Please.

11 A Okay. So our funding formula is different.  
12 It's a rolling average, so it's not based on -- it's not  
13 an FTE pull. It's a three-year rolling average. And so  
14 I can't count a student -- I don't count a student if I  
15 only see them, you know, one class.

16 Q And by "our funding formula," what do you mean?

17 A That's like the GNETS funding formula right  
18 now.

19 Q The State --

20 A It has been, yes, from the State.

21 Q Okay. And how do you know when to count  
22 someone?

23 A When they're with us a full day.

24 Q Okay. And when did you receive guidance on  
25 this?



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1 A That's always -- it's always been.

2 Q Okay.

3 A It's just -- I just -- that's what I've been  
4 taught.

5 Q Okay. This is how you were taught when you  
6 started?

7 A It's been, from what I understand, how it's  
8 always been.

9 Q Okay. How -- how were you taught when you  
10 started as director?

11 A From experience.

12 Q From experience?

13 A I mean, like.

14 Q Okay.

15 A Yeah.

16 Q Okay. Did this happen when you became  
17 director? Is that when you started --

18 A So I don't --

19 Q -- doing this?

20 A -- send up any data for my funding. So I don't  
21 claim anybody like that. So if a county claims my --  
22 claims students, they have to put a number 4 for GNETS,  
23 and so that's pulled up from them. So I don't send  
24 anything to the State for funding.

25 Q I understand.

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1 A Yeah, that's all from the LEA.

2 Q Okay.

3 A Uh-huh.

4 Q So it's not necessarily you not counting the  
5 student, the consultative student then? I'm just trying  
6 to understand.

7 A So they wouldn't receive the services from us.  
8 They receive through -- the majority of their services  
9 from whatever their IEP is from the gen ed. So their  
10 department would receive those funds.

11 Q Got it.

12 A Yes.

13 Q Okay. Thank you.

14 A Uh-huh.

15 Q And then how is -- how are the segments  
16 determined for each student?

17 A From the IEP.

18 Q From the IEP.

19 Can they be taken away without an IEP meeting?

20 A No, ma'am.

21 Q Could a student not attend a segment out for  
22 disciplinary reasons?

23 A I don't understand the question.

24 Q So if a student was going to attend PE with a  
25 gen ed -- general education class and they were in

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1 trouble that day, is that something that could change, or  
2 are they -- are they to attend PE?

3 A They are to attend whatever classes they are,  
4 unless the principal -- because they would fall up under  
5 their discipline. So let's say a fight happened. They  
6 would treat them just like -- and say they had ISS.  
7 Well, that's -- that's not my decision.

8 Q And that's in-school suspension?

9 A Correct.

10 Q Okay. Let's go to the sixth page. And then  
11 would I be correct that these are the Crawford County  
12 satellite classrooms?

13 A Yes.

14 Q Okay. And does consultative mean the same  
15 thing here as it did before?

16 A Yes.

17 Q Okay. And this -- and it can mean various  
18 things for different students, is that --

19 A Correct.

20 Q Okay. And earlier you said social skills?

21 A This could be social skills, yes.

22 Q Okay. This is .5 segment?

23 A So that's probably up under their IEP platform,  
24 so it depends on the platform.

25 Q Okay.

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1 A Uh-huh. But it's very minimal --

2 Q Okay.

3 A -- GNETS services.

4 Q Do you think this means one class or less?

5 A Less.

6 Q Okay.

7 A Maybe 30 minutes in a month, it may be, yeah.

8 Q And what -- what would that look like?

9 A It could be indirect or direct. It could be  
10 that she's -- like that was Ms. Webb. She could be  
11 working with a teacher, you know, touching base. It  
12 could be that she's working with the student. It depends  
13 on what the IEP dictates.

14 Q Okay. Let's go to the next page.

15 Do you see where it reads, "Jones PEC  
16 students"?

17 A Yes.

18 Q And what is PEC again?

19 A Program for Exceptional Children.

20 Q Okay. Can you explain why this student is a  
21 Jones PEC student and not identified at the top with the  
22 other students?

23 A Yes. That's a split-funded class. So Jones  
24 County split funded our teacher. So she may have some of  
25 her PEC students in that class or it may be Jones County

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1 GNETS kids. So it's split funded. It's not -- it's not  
2 a fully-funded GNETS class.

3 Q So if I understand you correctly, this student  
4 is in a different class than the students identified  
5 above?

6 A No, the same class.

7 Q The same class?

8 A The same class, but it's a split-funded  
9 teacher.

10 Q Okay. So that student is not technically in  
11 GNETS?

12 A Correct.

13 Q Thank you.

14 Are there other split-funded classes in Elam  
15 Alexander Academy now?

16 A I split fund with Jones County.

17 Q Uh-huh.

18 A Those two classes are split funded.

19 Q And that would be the high school class we  
20 spoke to about earlier, as well as the one at Gray  
21 Station Elementary School?

22 A Correct.

23 Q Do you split fund with other counties?

24 A I have in the past, but not currently.

25 Q What are the benefits of split funding?

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1 A Well, it saves me money, clearly. And then  
2 they have the opportunity to have students in there that  
3 may not require, you know, the full -- full GNETS  
4 services. They don't -- they wouldn't have to go through  
5 me to place a student.

6 Q Okay. That would be a decision made how?

7 A Through their special ed department.

8 Q Okay.

9 A They wouldn't have to submit the packet and all  
10 of that.

11 Q Okay. Thank you.

12 Let's look at the -- the ninth page, which is  
13 the last page. Just go up a little bit.

14 The bottom of it reads, "Elam 09-20-21-0108."  
15 Okay. Do you see it?

16 A Yes.

17 Q I think there's -- there we go.

18 A Uh-huh.

19 Q Does Elam Alexander currently have any students  
20 that are hospitalized?

21 A In residential facilities?

22 Q Is that what that means on this page?

23 A No. Hospital home based is when they are  
24 receiving home -- services at home. And that's through  
25 hospital home base, so that's an LEA decision. So if

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1 they have some sort of medical disability that doesn't  
2 allow them to actually come to school.

3 Q So is this hospital home based, is there  
4 hospitals modifying home based? It's not a separate? I  
5 see a comma, so I thought that it was a separate.

6 A So there's hospital home based. There's  
7 home-based services, and there's LEC. So hospital home  
8 based requires some sort of medical issue that -- that  
9 keeps them from being able to physically come to school.

10 Q Okay. And then there's hospital home base,  
11 home based and --

12 A And then there's home based. And then there's  
13 students that are incarcerated. That's what LEC, law  
14 enforcement center.

15 Q Thank you.

16 A You're welcome.

17 Q Currently, do you have any hospital home-based  
18 students?

19 A I'd have to look, but I don't believe so.

20 Q How about last year?

21 A I can't remember. If I did, it's very few.

22 Q Okay. What about home based this school year?

23 A This school year, I'd have to look back. I may  
24 have -- I have some that are receiving both. Some that  
25 are receiving home-based services and coming --

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1 Q Uh-huh.

2 A -- to school. So it may be a split day.

3 Q Okay. And why would a student receive  
4 home-based services?

5 A So this might be for various reasons, but it  
6 goes to the IEP. It could be behavior, that the behavior  
7 is too intense.

8 Q Uh-huh.

9 A Even for us.

10 Q Uh-huh.

11 A It could be something going on with the family  
12 that they request something to that nature. It all comes  
13 to the IEP on that.

14 Q Okay.

15 A Uh-huh.

16 Q And then do you have any students this school  
17 year receiving law enforcement center services?

18 A Not that I'm aware of. But that -- all that  
19 kicks back to the LEA.

20 Q Okay.

21 A Yeah.

22 Q Would you be made aware?

23 A Sure.

24 Q Okay.

25 A Most times they'll -- they'll ask if I have any



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1 teachers that are available to provide those services.

2 Q Uh-huh. When is the last time that you've had  
3 that?

4 A For LEC, it was probably a couple of years ago.  
5 We've had students -- and I want to say it was during  
6 COVID, too, because it was -- it was, how are we going to  
7 provide those services while they're in like a -- like an  
8 LEC.

9 Q Uh-huh. How did you all?

10 A I have no idea. That's an LE -- LEA decision.

11 Q Okay.

12 A So we don't -- we don't provide those services.  
13 Now, they will contract with some of my teachers to do  
14 that after hours.

15 Q After hours?

16 A Right.

17 Q Okay.

18 A Uh-huh.

19 Q That's how it worked for the LEC?

20 A Right.

21 Q Okay.

22 A The same for hospital home based and home  
23 based.

24 Q Okay. It's all after hours?

25 A Correct.

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1 Q Thank you.

2 A Uh-huh.

3 Q Looping back a little bit, earlier you said  
4 that both Nakeba Rahming and Vickie Cleveland did not  
5 think it was largely acceptable to serve most GAA  
6 students in GNETS; is that correct?

7 A Correct.

8 Q Under what circumstance would they think it's  
9 acceptable?

10 A If they had some sort of emotional undertow,  
11 something emotional that was causing that behavior.

12 Q Okay. Do you -- have you looked into this for  
13 your GAA student population?

14 A I'm consistently looking into that.

15 Q Okay. And do you think that there was a large  
16 population of your GAA students that do not meet that  
17 criteria?

18 A I think there is some students that we need to  
19 have a conversation about.

20 Q And how would that conversation start?

21 A So it's already started. So I reach out to the  
22 special ed director. I start saying, you know, I think  
23 we need to start talking about reintegration for these  
24 students. This is their eligibility category. This is  
25 the behaviors we are seeing, and I think that we need to

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1 start moving those kids out.

2 Q Okay.

3 A Uh-huh.

4 Q How have those conversations gone?

5 A They go well.

6 Q Okay. And have you received guidance from  
7 either Vickie Cleveland or Nakeba Rahming identifying  
8 this, like, you know, that it would be the emotional that  
9 would be appropriate for a GNETS versus the other --

10 A That's always --

11 Q -- GAA students?

12 A -- the conversation.

13 Q Versus the other GAA students, it's always the  
14 conversation?

15 A Yeah. I mean, that's always the nature of the  
16 conversation.

17 Q Okay.

18 A You know, is this a -- is this an emotional  
19 behavior issue.

20 Q Okay. Got it. Thank you.

21 A You're welcome.

22 Q We'll try to get through the next section  
23 before we --

24 A Uh-huh.

25 Q -- break. Is that okay?

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1 A That's fine.

2 Q Thank you.

3 Who determines staffing needs for your regional  
4 GNETS program, the Elam Alexander Academy?

5 A I do.

6 Q Has this always been the case?

7 A Yes.

8 Q Has GaDOE been involved in recommending  
9 staffing?

10 A You mean actual personnel or what we might need  
11 for services?

12 Q Both.

13 A Like social workers, things of that nature?

14 They recommend, you know, having social workers  
15 or clinical type individuals working with you. But no,  
16 not directly.

17 Q How do they recommend it?

18 A Well, most recently, like, they have a -- a  
19 grant that they've -- if certain programs didn't have  
20 social workers that they provided -- I don't know where  
21 they got the money; don't even ask me that -- that you  
22 had -- different programs had access to this grant so  
23 they can do contract work with social workers or  
24 something to that nature.

25 Q Okay. Did you seek to get this grant for Elam

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1 Alexander Academy?

2 A No, I have social workers.

3 Q Okay. That are not through the grant?

4 A Through contract type work, yes.

5 Q Okay. What is the process for hiring new  
6 personnel?

7 A So I post the position. It's through the Bibb  
8 County -- it's all through Bibb County. And I pull  
9 applicants. I interview, make the recommendation, do the  
10 background check. All of those things.

11 Q So it's posted on Bibb County's website?

12 A Yes.

13 Q Okay. And does this process vary at all by  
14 position, whether it's a teacher or an admin or other  
15 staff?

16 A The same. Same process.

17 Q Has GaDOE assisted with posting a position?

18 A Not for me.

19 Q Okay. And when you say not for you?

20 A I can't speak to -- I don't know if they ever  
21 do it with any other program.

22 Q Thank you.

23 MS. TUCKER: I am going to introduce a new  
24 exhibit. I'd like the court reporter to mark the  
25 following document as Plaintiff's Exhibit 569.

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1 (Plaintiff's Exhibit 569 was marked for  
2 identification.)

3 Q BY MS. TUCKER: This is an e-mail from you,  
4 Ms. Cole, to Nakeba Rahming with the subject, "School  
5 Psychologist." The e-mail is dated July 6th, 2017. The  
6 Bates number on the bottom of this document reads  
7 GA00790074.

8 Ms. Cole, do you recognize this e-mail?

9 A I don't remember it, but clearly it's me.

10 Q Yeah.

11 A But it was years ago, yes.

12 Q Do you have any reason to doubt --

13 A No --

14 Q -- this e-mail?

15 A -- not at all.

16 Q Okay. And earlier we said Nakeba Rahming was  
17 with the Georgia Department of Education as the manager  
18 of the GNETS program?

19 A Yes.

20 Q Okay. And this is the position that Vickie  
21 Cleveland currently holds?

22 A Correct.

23 Q Okay. Do you see where you wrote, "I was  
24 chatting with T and he said you were open to staffing a  
25 school psychologist for our program. We are in desperate

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1 need"?

2 A Yes.

3 Q Who is "T"?

4 A Thiago Aleixo. He was our -- one of our  
5 coordinators and then became assistant director, and then  
6 he moved to be a director of another GNETS program.

7 Q Which GNETS program?

8 A He was at Mainstay, and now he is actually  
9 working in Monroe County.

10 Q And when did he leave Elam Alexander Academy?

11 A Oh, he left and became the director at Mainstay  
12 two and a half years ago.

13 Q Okay.

14 A So not too long ago. Two and a half years ago,  
15 I want to say.

16 Q Okay. Thank you.

17 And I'd like to learn a little bit more about  
18 this e-mail.

19 A Sure.

20 Q Am I correct that you were seeking to secure a  
21 school psychologist through GaDOE?

22 A I don't know. So I was trying to see -- I  
23 think -- I think at that point what that means is that  
24 they were willing to fund one.

25 Q Uh-huh.

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1 A That's how I'm taking what I wrote.

2 Q Okay. And how -- did this happen?

3 A No.

4 Q It did not happen?

5 A It did not.

6 Q Okay. Why?

7 A I don't remember.

8 Q Okay. So you do not have a school  
9 psychologist?

10 A I do have a school psychologist. I was  
11 reaching out -- I've always had a school psychologist. I  
12 think I was looking for an additional one.

13 Q Okay.

14 A Yes.

15 Q Got it.

16 It did not happen from this e-mail?

17 A No.

18 Q Okay. You wrote you were in desperate need?

19 A Yes.

20 Q Can you elaborate?

21 A Yes. So we have a large number of students and  
22 require a lot of testing with updated evaluations. And  
23 we do all the evaluations for our students. Rarely does  
24 the LEA do that, and so I was wanting an additional one  
25 to help with the caseload of that.



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1 Q And I'm correct that you did not receive one?

2 A Correct.

3 Q Are you still in desperate need?

4 A No.

5 Q Why is that?

6 A I have a full-time school psychologist, and I  
7 also have a diagnostician that helps with that.

8 Q Okay.

9 A Uh-huh.

10 Q Thank you.

11 A You're welcome.

12 Q Have you reached out to GaDOE in a similar  
13 manner about securing other GNETS personnel?

14 A I don't remember, and -- I don't remember.  
15 Maybe BCBA type individuals, but I can't remember.

16 Q Have you received BCBA individuals?

17 A No.

18 Q Okay. But you are seeking them?

19 A Not currently.

20 Q Okay. Thank you.

21 MS. SOLOMON: Just for clarification, sorry,  
22 were you asking if she's received BCBAs from -- funded  
23 through GaDOE?

24 MS. TUCKER: That's correct. Thank you,  
25 Ms. Solomon.

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1 Q BY MS. TUCKER: And the answer stays the same?

2 A Correct.

3 Q Thank you.

4 Okay. For the current school year, so the  
5 2022/'23 school year, how many total staff are under you?

6 A Oh, Lord. So I have six coordinators.

7 Q Uh-huh.

8 A I have approximately 31 teachers.

9 Q Uh-huh.

10 A Which means I probably have 32, 33 paras.

11 Q Uh-huh.

12 A I've got three social workers, two social  
13 worker techs, a handful of secretaries. Let's see, one,  
14 two, three, four -- five -- five secretaries that work  
15 program wide. I have a staff allocation map. I'm trying  
16 to go through it in my brain. So maybe 89, 90 people.  
17 Does that add up, ish? Custodians; two custodians, hall  
18 monitors.

19 Q Okay.

20 A Crisis interventionist. Okay, 90ish.

21 Q Okay. Thank you.

22 A Okay.

23 Q So we have coordinators, teachers, paras,  
24 social workers?

25 A Uh-huh.

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1 Q Social worker techs?

2 A Uh-huh.

3 Q Secretaries?

4 A Yes.

5 Q Custodians, and crisis intervention workers?

6 A Yes.

7 Q Okay. Any other positions I did not name?

8 A I have a hall monitor.

9 Q Okay.

10 A Program evaluator, but that kind of falls up  
11 under secretary. Let's just throw it there. I think  
12 that's it.

13 Q Okay. Do any of these position categories  
14 support multiple Elam Alexander Academy sites?

15 A Yes.

16 Q Which categories?

17 A So my -- so my coordinators do, the compliance  
18 coordinators. I have a social worker who is housed at  
19 Southwest, but she -- if we need any sort of services,  
20 like out at satellite, she goes. The program evaluator,  
21 who is Alicia Craft who's like the secretary, she deals  
22 with all the data program wide. So a handful of people.  
23 Five to six or so.

24 Q Thank you.

25 A And myself.

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1 Q How often are you traveling between sites?

2 A Quite often.

3 Q What does that mean?

4 A Weekly.

5 Q Weekly?

6 A Uh-huh.

7 Q Okay. Do you visit every site within the week?

8 A No.

9 Q Okay.

10 A No.

11 Q How often do you visit every site?

12 A So I visit Adolescent Services weekly --

13 Q Uh-huh.

14 A -- which is at Southwest; and if I'm over  
15 there, I might as well see the rest.

16 And then Peach County, maybe -- maybe once or  
17 twice a year because Steven manages that.

18 The same for all my satellites. So they --  
19 they lay eyes on me where I physically go there maybe  
20 once or twice a year.

21 Q Okay.

22 A Unless there -- you know, something comes up,  
23 which nothing ever does.

24 Q Nothing ever comes up?

25 A No, not really. They're so easy to manage.

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1 And Steven is the one that manages all that, so there is  
2 no reason for me to go if he goes.

3 Q So the satellite programs are easy to manage?

4 A Absolutely.

5 Q And can you elaborate on why --

6 A Sure.

7 Q -- that's so easy?

8 A They're embedded in really great schools, and  
9 so the school culture is great. The principals have  
10 really absorbed those -- those teachers. The students  
11 have very minimal behavior, so it doesn't really require,  
12 you know, any heavy sort of like intensive support. And  
13 then Steven is fantastic because he goes out all the  
14 time.

15 Q Thank you, Ms. Cole.

16 A Uh-huh.

17 Q Have you noticed any trends in staffing,  
18 whether it's gone up or down in recent years?

19 A Are you talking about turnover?

20 Q I am asking first about number of staff. Has  
21 it increased or decreased in recent years?

22 A So we probably decreased, because we have less  
23 numbers. We have less students. We've decreased the  
24 number of social workers. We've decreased the number of  
25 coordinators. We've decreased some in the number of

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1 teachers, which would impact the number of para pros.

2 Q Uh-huh.

3 A So, yes.

4 Q Okay. And then I -- I want to ask about  
5 turnover. Is -- how often is turnover happening?

6 A Not -- we don't have a high turnover.

7 Q Uh-huh.

8 A I have some new teachers this year because I  
9 moved other teachers out to become instructional coaches,  
10 and then I created that second Jones County class, which  
11 put a vacancy at the Burke Campus. So I don't -- I don't  
12 have a high turnover.

13 Q And how many instructional coaches do you have?

14 A Three.

15 Q Three. And they are located at?

16 A Two at Burke and one at Southwest Adolescent  
17 Services.

18 Q In the centers?

19 A Yes.

20 Q Okay. Do instructional coaches go to the  
21 school-based locations?

22 A No.

23 Q Why is that?

24 A Because they have instructional coaches in  
25 those schools, so they tap into all those resources that

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1 are school-based.

2 Q Okay. And do you know that they are tapping  
3 into those resources?

4 A Yes.

5 Q And how?

6 A Because Steven tells me.

7 MS. TUCKER: I'd like the court reporter to  
8 mark the following document as Plaintiff's Exhibit 570.

9 (Plaintiff's Exhibit 570 was marked for  
10 identification.)

11 Q BY MS. TUCKER: Ms. Cole, this is the Elam  
12 Alexander Academy GNETS grant application for fiscal year  
13 2022 that was printed off of the GNETS Web on March 15th,  
14 2022. The Bates number on the first page of this  
15 document reads Elam-18-822 -- or let's start over. It  
16 reads Elam-3-18-22-Supplement-3467.

17 Ms. Cole, do you recognize this document as the  
18 GNETS grant application for fiscal year 2022?

19 A Yes.

20 Q Okay. And fiscal year 2022 represented the  
21 2021 to '22 school year, correct?

22 A Yes.

23 Q What is the GNETS grant application?

24 A That is all of this information that's  
25 submitted to Department of Education.

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1 Q And what does this information that you submit  
2 get?

3 A It's --

4 Q What do you get from submitting this  
5 information?

6 A Nothing.

7 Q Do you get the grant?

8 A Yes. Sure.

9 Q Okay.

10 A Yeah. Of course, yes. But like a thumbs-up, a  
11 sign-off. How do I say that?

12 Q A sign-off, right. But this is how you receive  
13 the GNETS State grant?

14 A Yes.

15 Q Okay. It's --

16 A Yes.

17 Q Okay. It's a prerequisite?

18 A No, funding -- funding comes through. This is  
19 information that they request.

20 Q Okay.

21 A Yes.

22 Q Got it.

23 A And so it tells you the number of teachers and  
24 like that. It's a snapshot at that moment.

25 Q Do you receive feedback on it?



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1 A Sometimes, yes. We kick it back and forth, you  
2 know.

3 Q From who?

4 A Vickie or LaKesha.

5 Q What type of feedback?

6 A Like she might ask -- like most recently  
7 about -- because this is -- I submit this like in May,  
8 but some staffing is created or some decisions were made  
9 in July, so I may have to say, I need you to kick it back  
10 to me so I can update. Or she may say, hey, I think that  
11 you closed this site, but it's not in here. And I said,  
12 yeah, I didn't close it until July. Things like that.

13 Q Okay.

14 A Uh-huh.

15 Q Thank you.

16 A More operational, I guess you would say.

17 Q Thank you.

18 A Uh-huh.

19 Q So I would like to turn to the staffing pattern  
20 which begins on page 21. The Bates number on the bottom  
21 reads Elam-3-18-22-Supplement-3487.

22 Let me know when you get there.

23 A What page are you looking at?

24 Q It's 3487 on the bottom.

25 A 3487. Okay.

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1 MS. SOLOMON: It looks like this (indicating).

2 THE WITNESS: Yep, I got it. Yeah, I gotcha.

3 Q BY MS. TUCKER: I will let you take a look.

4 A Uh-huh.

5 Q So this page and the next page, this would  
6 be -- it's -- the header is "Staffing Pattern"?

7 A Uh-huh.

8 Q What does that mean?

9 A How many staff we have in each category.

10 Q Okay. And this would be how many staff you had  
11 in that category from the 2021/'22 school year?

12 A Yes.

13 Q Okay. And have these numbers changed from in  
14 this school year?

15 A Yes.

16 Q Significantly?

17 A Just shifts, like teacher retirements or  
18 coordinators resigning, things like that. I wouldn't say  
19 too significantly.

20 Q There are categories on the top that say State  
21 Grant, Federal VI-B and LEA Funded. Do you see those?

22 A I do.

23 Q Okay. What do those mean?

24 A What pot of money it comes from.

25 Q Okay. So what pot of money funds these

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1 positions?

2 A Yes.

3 Q Thank you.

4 And with State grant, does that mean the GNETS  
5 State grant?

6 A Yes.

7 Q Okay. And then what -- the next category, the  
8 Federal VI-B, what does that refer to?

9 A The federal money we -- we receive.

10 Q Okay. Do you have any -- do you know more  
11 about that federal money?

12 A So the majority of our grant is State, and then  
13 I don't know how -- I really don't know how that works  
14 because a lot of this right here is pushed in to our  
15 grant.

16 Q Uh-huh.

17 A So -- but every year we get like a projection  
18 of how much we'll receive State and how much we'll  
19 receive from federal.

20 Q Okay. And then when you say a lot of this  
21 information is pushed in, are you saying that it's  
22 prepopulated in the grant application?

23 A Yeah, based on whatever information they pull  
24 from like CPI, I think. It's like the -- yes?

25 Q Who is "they"?

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1 A Department of Education.

2 Q And what is CPI?

3 A I think that's the certified personnel  
4 inventory.

5 Q Okay.

6 A I think.

7 Q Thank you. I'm not quizzing you.

8 A No, you are fine.

9 Q Just what you remember and recall.

10 A Yeah.

11 Q Thank you.

12 And then LEA funded would be a position funded  
13 by the school district?

14 A Right.

15 Q Okay. Thank you.

16 Can GNETS staff positions be funded through any  
17 other sources?

18 A If we have in-kind services. So no, outside of  
19 LEA or Federal or State, no.

20 Q Okay. And then who determines the source of  
21 funding for a particular position?

22 A The grant manager. So you -- for anybody  
23 certified, it would have to come from State, because I  
24 think that's when you get -- I'm going to throw out a  
25 bunch of -- T&E.

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1 Q Okay.

2 A And I believe they have to come from State. So  
3 we have a -- a budget manager that kind of manages all  
4 that, and I will say, hey, I want to do this, this, this,  
5 and they'll say, okay, I'm going to put it here, here,  
6 here.

7 Q When "we have a budget manager," who you are  
8 you referring to?

9 A Bibb County.

10 Q Bibb County?

11 A Yes. And then they can answer; they report up  
12 to DOE.

13 Q The Georgia Department of Ed?

14 A Yes.

15 Q Into their budget manager?

16 A Yes.

17 Q Okay.

18 A Yes.

19 Q Thank you.

20 It looks like to me that the positions are  
21 broken out by staff type, and the options include  
22 existing staff and new staff. Do you see that?

23 A Yes.

24 Q Okay. What is the difference between existing  
25 staff and new staff on this document?

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1 A I'm thinking that means if I -- if there's a  
2 new like position created.

3 Q Okay.

4 A That's what I am thinking this is.

5 Q Okay. And then looking at the totals, am I  
6 reading correctly that for fiscal year 2022, you had 82  
7 total staff, the Elam Alexander Academy did, and they  
8 were all existing staff?

9 A Probably, yes.

10 Q I'll let you take a look. It's just those two  
11 pages.

12 A Yes. Yeah, that's what it says.

13 Q Okay. And then of these 82 positions, am I  
14 correct that all 82 are State grant funded?

15 A Yes.

16 Q And this represents the staffing at all Elam  
17 Alexander Academy sites, whether they are centers or  
18 school-based?

19 A Yes.

20 Q For this school year, the 2022/'23 school year,  
21 are all positions State grant funded as well?

22 A I believe so, but I would have to look back at  
23 my grant.

24 Q Let's flip to page 5 of this document, the  
25 grant application.

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1 A Uh-huh.

2 Q The last four digits of the Bates stamp are  
3 3471.

4 A Okay.

5 Q Let me know when you get there.

6 A I'm here.

7 Q Okay. At the top, do you also see that it  
8 says, "Service Delivery - Instructional & Academic  
9 Supports"?

10 A Yes.

11 Q Great. We're on the same page then.

12 A Uh-huh.

13 Q Do you see in the middle of the page where it  
14 says that 42 staff members are trained to deliver GSE?

15 A Uh-huh.

16 Q What does GSE mean?

17 A That's the Georgia Standards of Excellence.

18 Q Okay.

19 A That's like the curriculum.

20 Q It's the State curriculum?

21 A Yes.

22 Q Okay. So which 42 staff members of your 82  
23 would be trained in GSE?

24 A So those would be lead teachers, the  
25 educational therapist or lead teachers.

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1 Q What about your administrators?

2 A Some of them, too, depending on -- like the  
3 site coordinators, yes, they go to those trainings as  
4 well.

5 Q Do you also go to the training?

6 A Sometimes. It depends on my schedule.

7 Q And who leads that training?

8 A So for -- if they're housed in Bibb County,  
9 then they would go Bibb County for those trainings, like  
10 the core content type trainings.

11 Q Okay.

12 A If they are serving Crawford County, they would  
13 go through Crawford County or whatever county they --  
14 they are landing in.

15 Q Okay. How many staff members are trained to  
16 deliver GSE this school year?

17 A However many teachers I have.

18 Q Okay. So all teachers?

19 A Yes, yes. And instructional coaches.

20 Q For the teachers employed in GNETS by Elam  
21 Alexander Academy up in Bibb County, are there any  
22 professional qualifications or certifications that are  
23 required?

24 A Say that one more time.

25 Q For your teachers in Elam Alexander Academy,



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1 are there professionals, qualifications, or  
2 certifications that are required?

3 A Like teaching certifications? Yes. Then you  
4 have to either currently be certified or working through  
5 the certification process. It would be the same as any  
6 Bibb or -- you know, we -- we follow it by the same  
7 guidelines.

8 Q I understand. So a teacher could be working  
9 for the qualification?

10 A Right. They could be issued a provisional-type  
11 certificate.

12 Q Do you have -- how many teachers do you have  
13 who have a provisional certificate?

14 A This year I have more than I have. So I have,  
15 I want to say, five.

16 Q Five?

17 A Uh-huh.

18 Q How long does it take?

19 A Usually -- it depends on the program. They  
20 could go through Georgia TAP. That could go through a  
21 master's. It depends on the program they go through. So  
22 it could be a year. It could be two years. It could be  
23 three.

24 Q Are there other qualifications that are  
25 required to be a teacher at Elam Alexander Academy?

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1 A Not required.

2 Q Okay. Are there others that are preferred?

3 A For me, yes. So when I interview someone, I'm  
4 looking for someone that has some sort of background in  
5 mental health or worked with, you know, students with  
6 emotional disorders, something to that nature. I need  
7 someone that can -- that knows how to work with those  
8 kind of kids. That's what I look for.

9 Q Are there different requirements for GNETS  
10 teachers at the high school level, middle school level,  
11 and elementary school level?

12 A Not requirements. I mean, you work towards  
13 your certification, and you work towards passing certain  
14 gates that allow you to teach certain subjects.

15 Q Thank you.

16 A You're welcome.

17 MS. TUCKER: I'd like the court reporter to  
18 mark this document as Plaintiff's Exhibit 571.

19 (Plaintiff's Exhibit 571 was marked for  
20 identification.)

21 Q BY MS. TUCKER: This is an e-mail from you,  
22 Ms. Cole --

23 A Uh-huh.

24 Q -- to Nakeba Rahming with the subject, "Teacher  
25 Qualifications."

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1 A Yes.

2 Q The e-mail is dated July 6th, 2017. The Bates  
3 number on the bottom of this document reads GA00792442.

4 Do you recognize this e-mail?

5 A I do.

6 Q Ms. Cole, do you see where you write, "This is  
7 the certification of a teacher I have in Crawford County.  
8 According to the ESSA PQ I was thinking she was qualified  
9 to teach a GNETS class for high school. Can you tell me  
10 if I'm right or wrong?"

11 A Correct.

12 Q What is ESSA PQ?

13 A So that's -- PQ is professionally qualified.  
14 And I want to say this is around the time that they moved  
15 from highly qualified to professionally qualified and  
16 changed some of the requirements. And she was a teacher  
17 I currently had in there, and I wanted to make sure she  
18 was still able, based on -- I think this was around the  
19 change, that they changed it -- was still professionally  
20 qualified to teach those students.

21 Q And who is the "they" you are referring to,  
22 "they changed it"?

23 A The State. You know how -- the State will  
24 change qualifications for teachers.

25 Q Was this specific to GNETS?

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1 A No.

2 Q Or all teachers?

3 A No, all teachers.

4 Q And did Nakeba Rahming reply to you?

5 A I can't remember.

6 Q Do you know the answer to your question now?

7 A Yes. I believe she was. I went through --  
8 they had multiple webinars about professional  
9 qualifications and things like that.

10 Q "They" being GaDOE?

11 A Yes.

12 Q Okay.

13 A Yes. A lot of training went on about that.

14 Q Understood.

15 Any training that Nakeba Rahming provided?

16 A She may have redelivered some or touched on it  
17 in GNETS directors meetings, but the majority of it came  
18 from the Department of Education.

19 Q Thank you.

20 Have you reached out to GaDOE at other points  
21 regarding qualifications for a position and whether you  
22 should move forward with an applicant?

23 A I don't believe so.

24 Q Okay. We will start this section, if that's  
25 okay?

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1 A Uh-huh.

2 Q Okay. I'm going to hand to you a document that  
3 was previously marked as Plaintiff's Exhibit 82.

4 A Okay.

5 Q So you get to have it directly.

6 A Okay.

7 Q And it's Exhibit 82.

8 The top of this document is titled "160-4-7-.15  
9 Georgia Network for Educational and Therapeutic Support  
10 (GNETS)."

11 Do you recognize this document as the 2017  
12 GNETS rule issued by GaDOE?

13 A Yes.

14 Q Are you familiar with this document?

15 A Yes.

16 Q How are -- how were you made familiar with it?

17 A It was -- I mean, when it rolled out, it was  
18 provided by the Department of Education.

19 Q Okay. What type of rollout did the Department  
20 of Education provide?

21 A I believe at that time, they actually had  
22 listening sessions and things like that with community  
23 members and families. They met with us about, you know,  
24 different components. So it was collaborative.

25 Q Okay. And are you speaking about prior to the

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1 rule rolling out it was collaborative?

2 A Yes.

3 Q How -- so let's talk about that process. What  
4 did it look like, the collaboration?

5 A Just meetings. You know, part of our GNETS  
6 directors meetings. We may talk about, you know, what's  
7 clear, what's not clear, what seems pretty vague, things  
8 to that nature. Just -- you know, really just about  
9 understanding.

10 Q Uh-huh.

11 A And if things are clear.

12 Q Do you think your feedback was integrated into  
13 the new rule?

14 A Yes.

15 Q Okay. Do you find the new rule clear?

16 A In some areas.

17 Q Okay. What areas are clear to you?

18 A The definitions are clear. How services could  
19 be provided are clear.

20 Q Uh-huh.

21 A Who is responsible for what is clear.

22 Q What is not clear?

23 A For me, professionally speaking, would be the  
24 type of student we serve, because it -- that's where  
25 people get the most confused, is that they provide

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1 services to students who exhibit intense social  
2 emotional. Some people understand that as -- or  
3 understood it as we only serve students with emotional  
4 behavior disorders as the eligibility categories, and  
5 others understood it as what it reads, which is they have  
6 to show -- exhibit, you know, features of emotional  
7 behavior disorders.

8 Q Ms. Cole, are you looking at a specific  
9 paragraph?

10 A Yeah. I was looking at number -- on page 2,  
11 (a).

12 Q So under "GNETS Purposes and Services",  
13 paragraph (a)?

14 A Uh-huh.

15 Q Okay. And this is the paragraph that you still  
16 have -- are you still -- desire to --

17 A I just, I think it -- I mean, I think it's  
18 written clearly. That's not what I'm saying. I'm saying  
19 that people's interpretation of what they read is  
20 different.

21 Q I understand. Are there other parts of the  
22 rule that you find confusing?

23 A No.

24 Q Okay. This would be the one?

25 A Uh-huh.

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1 Q Have you had conversations with anyone about  
2 the need for greater clarity here?

3 A Sure. I -- I say it all the time. I'm vocal.  
4 Yeah, I say, you know, that when we made that when that's  
5 what it stated, it's up for interpretation of eligibility  
6 categories.

7 Q Okay. Thank you.

8 A Uh-huh.

9 Q What have the responses been?

10 A Okay. They agree or don't agree or.

11 Q And who are you raising these concerns with?

12 A I've said it to special ed directors and GNETS  
13 directors.

14 Q Okay. Have you shared it with GaDOE?

15 A I think I probably did initially with -- I  
16 think it was Nakeba at that time.

17 Q Okay.

18 A Uh-huh.

19 Q When this was rolled out in 2017, do you -- did  
20 you receive any training on the new rule?

21 A We probably had -- they probably talked to us  
22 in GNETS directors meetings just about the rule and  
23 that -- I think this is about the same time that they  
24 rolled out the packets, too, with consideration of  
25 services and consideration -- or request for



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1 consultation. So that was really where the bulk -- bulk  
2 of the conversation was.

3 Q I understand.

4 A Yeah.

5 Q Do you -- did you receive any written guidance  
6 related to the rule?

7 A I can't recall.

8 Q Okay.

9 A Maybe.

10 Q Okay. And then as director, does the GNETS  
11 rule provide you with the expectations regarding your  
12 duties and responsibilities?

13 A As director?

14 Q Yeah.

15 A It doesn't really speak to my role.

16 Q Okay. Do you refer to this rule often?

17 A Not really.

18 Q Okay. I am going to hand you a document that  
19 was previously introduced as Plaintiff's Exhibit 460.

20 A Thank you.

21 Q Yeah, of course. This is an August 16th, 2018  
22 e-mail from Vickie Cleveland to LaKesha Stevenson with  
23 the subject line, "Items to copy for meeting."

24 And at this time, I'd like to focus on four of  
25 the five attachments to this document. Please skim, and

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1 then we will walk through each one by one.

2 A Yes.

3 Q You are able to --

4 A Yes, I know what this is.

5 Q Thank you.

6 Let's turn to the third attachment. That would  
7 be the GNETS Services Flow Chart.

8 A Yes.

9 Q Well, you beat me to it. Are you familiar with  
10 this document?

11 A Yes.

12 Q Is this one of the documents that you were  
13 referring to a moment ago that rolled out with the rule?

14 A Yes.

15 Q Okay. What is the GNETS Services Flow Chart?

16 A This is the various ways that we can provide  
17 services.

18 Q "We" being?

19 A GNETS.

20 Q The regional programs --

21 A Yes.

22 Q -- too?

23 And did you play any role in creating this  
24 document?

25 A We had -- did we have planning? I think we had

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1 planning teams, talking about the different type of work  
2 that we could -- we could assist with. So yes, kind of.

3 Q We had planning teams?

4 A So when she would pull -- when we had GNETS  
5 directors meetings, we would have little break-out teams  
6 of different directors that may sit on different teams to  
7 talk about different items like this.

8 Q And at that time, it was Nakeba Rahming?

9 A Yes, but then Vickie came in. I can't remember  
10 when they transitioned.

11 Q Do you have those break-out teams now?

12 A No.

13 Q When did that end?

14 A When the documents were created.

15 Q Okay. Thank you.

16 Is -- do you recall if this was the team you  
17 were on?

18 A I don't remember what team I was on.

19 Q Okay.

20 A It was a long time ago.

21 Q I understand. And this was a document -- this  
22 flow chart was issued by GaDOE?

23 A Yes.

24 Q Okay. Does Elam Alexander Academy use this  
25 flow chart?

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1 A Yes.

2 Q Are regional GNETS programs required to use  
3 this flow chart?

4 A I believe so.

5 Q Am I correct that this flow chart sets three  
6 routes by which a student is -- may be served through  
7 GNETS?

8 A Yes.

9 Q And those three routes are consultation,  
10 standard process, and move-in?

11 A Correct.

12 Q Okay. Thank you.

13 I'd like to dive into each of these?

14 A Uh-huh.

15 Q Who requests -- under "Consultation", who  
16 requests consultation?

17 A So that would come from the LEA.

18 Q Okay. And what is the goal of consultation?

19 A The goal of consultation is for us to come in  
20 and provide whatever feedback they are requesting, FBA,  
21 direct, whatever it may be, and to maintain the student  
22 in their home school. That's the goal.

23 Q Maintain in home school?

24 A Correct.

25 Q How is that goal messaged?

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1 A What do you mean?

2 Q I understand that's your understanding of the  
3 goal. Is that clear to others?

4 A It should be.

5 Q Okay. And why is it important to remain in  
6 your home school?

7 A Because that's FAPE. That's how FAPE works.

8 Q And by FAPE you mean?

9 A Free appropriate public -- public education.

10 Q Thank you.

11 A You're welcome.

12 Q And this consultation, it's different than the  
13 consultation on the documents we've looked at earlier  
14 with the student classroom breakdowns?

15 A Yes. So this is consultation. That was  
16 consultative. Two different things.

17 Q Close?

18 A Very.

19 Q Thank you.

20 So it looks as there's three different forms of  
21 consultation: the FBA coaching, direct consultation, and  
22 indirect consultation, correct?

23 A Uh-huh.

24 Q Does Elam Alexander Academy utilize all three  
25 forms?

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1 A Yes.

2 Q Okay. Which staff is involved?

3 A It depends. So it's -- could be one of my  
4 coordinators. It could be Steven. It could be one of my  
5 lead teachers who used to be a teacher with special  
6 duties -- it's that same phrase -- that have been trained  
7 in FBA and BIP. It depends on what they are requesting  
8 and what kind of student. So if it's like a GAA student,  
9 then I would send out maybe my instructional coach for  
10 GAA. If it's a Milestones, I would -- I would send  
11 someone that was more in line with that track.

12 Q Are you involved in consultation as director?

13 A In the process?

14 Q Uh-huh.

15 A Yes.

16 Q Okay.

17 A And I've provided consultation as well.

18 Q Okay. So if you are not providing the  
19 consultation but you are involved in the process, what  
20 does that mean?

21 A I help decide who goes and does what. I decide  
22 which staff member provides the actual consultation.

23 Q Thank you.

24 A Uh-huh.

25 Q For last school year, so the 2021/2022 school

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1 year, how many times did your program assist with FBA  
2 coaching?

3 A A lot. I can't give you an exact number. We  
4 had a high number of requests last year, and I had a  
5 staff member designated just for that purpose, and so  
6 then -- but it was like a little team. But a lot.

7 Q What is a high number?

8 A 40 to 50.

9 Q Okay.

10 A Yeah.

11 Q Were any of those students ultimately placed in  
12 GNETS?

13 A Some, but I wouldn't -- I don't know the exact  
14 percentage. I would have to go back and look.

15 Q Do you think it was more than 50 percent?

16 A I wouldn't say so.

17 Q Okay. And -- okay. How about this school  
18 year? How many -- how many FBA consulting have you had?

19 A Not many so far.

20 Q Why do you think that is, the difference  
21 between so many requests last year and this -- and not as  
22 many this year?

23 A I don't know. And I'm wondering, though, with  
24 last year coming off COVID, if kids coming back into  
25 schools, if it was just not a lot going on and they were

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1 just sending a lot of requests.

2 Q Okay.

3 A That's kind of what I think.

4 Q For the last school year, so the 2021/'22  
5 school year, how many times did your program assist with  
6 the direct consultation?

7 A Just as many as the FBA. A lot of times  
8 those can -- they come together, so it might not always  
9 be separate.

10 Q Okay.

11 A So if we -- if they submit in requests for  
12 consultation, we can look at it and say, okay, it sounds  
13 like you may need more of this; and if we are even going  
14 to look at coaching with an FBA, we are probably going to  
15 go out and do some observations. So that's why those two  
16 kind of blend --

17 Q Okay.

18 A -- for me in the way we operate.

19 Q That's helpful.

20 So would it be fair to say that the numbers of  
21 direct consultation were higher last year than they  
22 were -- are this year?

23 A Yes.

24 Q Okay.

25 A Yes.



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1 Q Thank you.

2 Does the next route, the indirect consultation,  
3 is that also likely combined with FBA coaching and  
4 direct?

5 A Not really. To me this is more like looking at  
6 a student's file and kind of coming up with some best  
7 practices. That's not something that really occurs too  
8 often for us for our program.

9 Q For last school year, ballpark how many?

10 A Two or three.

11 Q Okay.

12 A Yeah, very few.

13 Q Have you had any this school year?

14 A To just review paperwork, no.

15 Q Okay.

16 A Not that I can recall.

17 Q In the consultation -- in the main box, right  
18 where it says "Consultation," do you see that?

19 A Uh-huh.

20 Q It reads, "'Request for GNETS Consultation'  
21 form available only from the SPED office."

22 A Yes.

23 Q Okay. Let's turn to the second attachment,  
24 which starts with the Georgia -- GA00030542.

25 A Uh-huh.

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1 Q Is this the Request for GNETS Consultation --

2 A Yes.

3 Q -- form?

4 Were you on the team that worked on this form?

5 A I can't remember.

6 Q Okay.

7 A I -- probably not or I would have remembered.

8 Q Okay. And the -- this form is issued from  
9 GaDOE?

10 A Yes.

11 Q Okay. Does Elam Alexander Academy use this  
12 form?

13 A Yes.

14 Q Are the regional GNETS programs required to use  
15 this form?

16 A I believe so, yes.

17 Q Let's turn back to the flow chart.

18 MS. TUCKER: I think someone dropped is that  
19 noise.

20 MS. SOLOMON: Uh-huh.

21 Q BY MS. TUCKER: Okay. The second route, the  
22 "Standard Process." Do you see that?

23 A Yes.

24 Q Okay. Will you please walk me through the  
25 standard process for placing a student in GNETS?

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1           A    So this is where they would submit the student  
2   information packet. This is when they are requesting  
3   services, GNETS services, so this would go through an IEP  
4   team.

5           Q    Okay. And then who makes the initial  
6   determination whether a student should be considered for  
7   GNETS?

8           A    That would be the special ed director or their  
9   designee, so if they have a program specialist or  
10  something to that degree.

11          Q    And you just mentioned a student information  
12  packet?

13          A    Uh-huh.

14          Q    Is that the student information packet that it  
15  starts on the next page?

16          A    Yes.

17          Q    Okay. Was this document issued by GaDOE?

18          A    Yes.

19          Q    Okay. Are all GNETS -- regional GNETS programs  
20  required to use this?

21          A    Yes.

22          Q    Okay. Back to the flow chart then.

23          A    Okay.

24          Q    It says that -- after the student information  
25  packet is completed, the next step is that the GNETS

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1 coordinator and SpEd dir -- so director -- meet to  
2 discuss packet information.

3 Do you see that?

4 A Yes.

5 Q Okay. What is meant by "GNETS coordinator"  
6 there?

7 A So that could be like the Steven for me.

8 Q Uh-huh.

9 A That manages that process. Meet to talk with  
10 them about what's in the packet, does it make sense, do  
11 we need additional information. That kind of -- that  
12 kind of information.

13 Q Okay. Thank you.

14 Do you participate in this as director?

15 A Sometimes. It depends on the type of student  
16 or, you know, if their packet is complete, if it makes  
17 sense or doesn't make sense.

18 Q Can you give me an example of the type of  
19 students where it would make sense for you to  
20 participate?

21 A Would or would not?

22 Q Would.

23 A Would. Would participate in this discussion?

24 Q Uh-huh.

25 A So if it's a student that maybe has not been

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1 served through special education very long or if it's a  
2 student that doesn't have an updated psychological.  
3 Something to this nature. Something that doesn't make  
4 the packet complete.

5 Q Okay.

6 A Or if it's a GAA student.

7 Q Okay. You are involved if it's a GAA student?

8 A I am.

9 Q Why is that?

10 A Because I need to not have so many GAA  
11 students.

12 Q Based on what we discussed earlier?

13 A Correct.

14 Q Okay. Is this a formal meeting, this  
15 discussion between the GNETS coordinator and special  
16 education director?

17 A No.

18 Q Okay. And then what is generally discussed at  
19 these meetings?

20 A The packet, the type of information they  
21 submitted, you know, if additional information is needed.

22 Q What are you looking to learn, or what are you  
23 or Steven or whoever attends on behalf of you?

24 A We are looking to learn or to really look at  
25 documentation to see if it even warrants an IEP meeting

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1 to discuss services.

2 Q And by that do you mean whether it would  
3 warrant a conversation for the student to even be in  
4 GNETS?

5 A Right, if it even warrants kicking to an IEP  
6 process.

7 Q Okay.

8 A Yeah, if we need to move that route or not.

9 Q Okay. How do you communicate back to a special  
10 education director if you think the student is not  
11 appropriate for GNETS?

12 A Just like you just said. I don't think this  
13 is -- would be an appropriate student to be placed at a  
14 GNETS program, but we can kick it back to a consultation,  
15 and we can maybe do some more -- or we can do a  
16 consultative type thing, where we do more, where we go to  
17 you. There is other routes that we can take.

18 Q Does that involve you educating special  
19 education directors about GNETS' purpose?

20 A Sometimes, yes.

21 Q Do you see confusion in certain counties  
22 specifically?

23 A I say across the board that we are a service,  
24 not a placement.

25 Q Can you expand?

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1 A Sure. So I can provide those services to -- to  
2 you if there -- say a kid's not very intense, or, you  
3 know, it's not that -- they don't have the criteria for  
4 frequency or intensity duration, then I can still come in  
5 and provide some services where we have a special ed --  
6 one of our GNETS teachers come in and maybe do some  
7 direct service or maybe professional development for the  
8 teacher about better classroom management, something to  
9 that nature.

10 Q Okay. Can you ultimately stop the process?

11 A No.

12 Q Okay. So are there students placed in GNETS  
13 that you have disagreed with the placement?

14 A Yes.

15 Q Is that a large amount of students?

16 A No.

17 Q Okay. If you had to estimate a percentage?

18 A This year?

19 Q Uh-huh.

20 A Currently or the ones that are on the  
21 prospective student log?

22 Q Let's start with prospective student log.

23 A I've had some pushed up. So I probably had 15,  
24 17 kids' --

25 Q Uh-huh.

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1           A    -- packets come through. I probably pushed  
2 back seven to ten.

3           Q    Uh-huh. Okay. Are those largely GAA students?

4           A    Some, not all.

5           Q    Okay.

6           A    Uh-huh.

7           Q    And then what about in GNETS currently?

8           A    I have -- I wouldn't say -- I would say that I  
9 have some that I feel like are ready to transition.

10          Q    Okay.

11          A    And then, of course, I have the GAA work that  
12 I'm doing as well, trying to reintegrate.

13          Q    Understood.

14                The next step in -- on the flow chart reads  
15 that, "A 'School History' is completed," and there's an  
16 optional observation."

17                What is meant by "a School History"?

18          A    So this is -- move-in is also the same as a  
19 GNETS transfer. So if they are coming from another GNETS  
20 program and they move to a different LEA, they request  
21 the records; and if it's a GNETS student, we will meet  
22 and decide if they need to continue to come with me, you  
23 know, come to a GNETS classroom. That could be  
24 school-based or it could be center-based. That's what  
25 that means.



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1 Q On move-in. So --

2 A Right.

3 Q -- I -- I was actually still on the standard  
4 process.

5 A Oh, I'm so sorry.

6 Q It's okay.

7 So if you look, Ms. Cole, we were just talking  
8 about --

9 A Ah, yes.

10 Q -- the GNETS --

11 THE REPORTER. One at a time.

12 THE WITNESS: I'm sorry.

13 MS. TUCKER: Yeah, thank you.

14 Q BY MS. TUCKER: We were just looking at GNETS  
15 coordinator and special education director meet, and the  
16 step down from there, under the Standard Process is, "A  
17 'School History' is completed with the student's  
18 teachers. An optional observation may be completed."

19 A Yes. Got that one.

20 Q Okay. Let's talk about that.

21 A Okay. So that may be that -- that it's not --  
22 the packet is not complete. There's some other things we  
23 can do. And so I might ask that I send in one of my  
24 staff members to do an observation to see if we can't  
25 give any feedback to the teacher or the school, whatever

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1 it may be, that they can do in the school setting.

2 That's what that is.

3 Q Thank you.

4 A Uh-huh.

5 Q Are there certain factors that would trigger  
6 this observation?

7 A Sure. If they don't have all the updated  
8 information.

9 Q Okay.

10 A Uh-huh.

11 Q And that's updated assessments?

12 A Assessment, FBA, if the behavior intervention  
13 plan doesn't make mention of the behaviors that are  
14 actually being exhibited.

15 Q Okay. Thank you.

16 Now, we are going to go one box down in that  
17 same column. Do you see where it says, "School schedules  
18 an IEP meeting and GNETS is considered as an option"?

19 A Yes.

20 Q Okay. Does anyone from your staff participate  
21 in that meeting?

22 A Not in schedules, but yes, we are invited to  
23 the meetings. We do not schedule those meetings.

24 Q Understood. Do you participate in these IEP  
25 meetings?

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1 A Sometimes.

2 Q Sometimes.

3 Why -- what would lead to you participating in  
4 an IEP meeting?

5 A If it's a situation that may need my support.  
6 It could go either way. It could be that sometimes the  
7 parents request that I'm there.

8 Q Uh-huh.

9 A Sometimes it could be that our team, like  
10 Steven Grant has reviewed it, he doesn't feel like it  
11 would be -- that we can serve them in a different  
12 capacity, and he needs some support. You know, it could  
13 be something like that.

14 Q Okay. Thank you.

15 And then I -- I know a moment ago you were  
16 speaking about students that you do not necessarily agree  
17 with their GNETS placement, correct?

18 A Correct.

19 Q Has this ever been raised during an IEP  
20 meeting?

21 A Sure.

22 Q Uh-huh. And then how do those conversations  
23 go? Do you -- how do you explain that you do not think  
24 it's appropriate?

25 A Just like that, that I don't feel like it's an

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1 appropriate placement at this time. There is some other  
2 work that we can do. Maybe push in and provide support  
3 to the student, the staff, things at, you know, the  
4 school.

5 Q And has that conversation ever led to a student  
6 not being placed in GNETS?

7 A Sometimes.

8 Q Would you say -- could you ballpark like  
9 whether that happens half, 50 percent of the time or?

10 A Probably. Probably it goes my way more 60  
11 percent of the time.

12 Q Okay. Thank you.

13 Now let's go to the "Move In" column.

14 A Yes.

15 Q The one you were excited to talk about. Can  
16 we -- can you tell me more about it again?

17 A Sure. So --

18 Q Yeah.

19 A -- move-in is similar to a GNETS transfer. So  
20 that's if they move from one LEA to another, and it's in  
21 a different GNETS program.

22 Q Okay. So if I was in North Georgia, and then I  
23 was moving to Macon and I was in GNETS there, I would be  
24 placed in GNETS at Elam Alexander?

25 A Not necessarily. So it depends on what type of

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1 class they came from there. If it was a satellite type  
2 class, then we would look at a satellite type class here.  
3 Sometimes the LEA is like, you know, I'm reviewing this  
4 and I feel like, you know, we can handle this in the  
5 school, so then we move that direction. It's still an  
6 IEP decision.

7 Q Do the LEAs or do you as a GNETS program  
8 communicate with another regional GNETS program about a  
9 student if that -- if the move-in is happening?

10 A Absolutely.

11 Q Just to get information?

12 A Get information, talk about, you know,  
13 academics, i-Ready, shifting that over.

14 Q It also says that if someone was in a similar  
15 program in another State. Has that happened for you?

16 A Yes.

17 Q What other State has a similar program?

18 A So I don't know what they have, but they have  
19 these self-contained centers, states do, and it's just  
20 not called GNETS. So we look at that and decide if they  
21 need to receive services from us.

22 Q Okay. Thank you.

23 How about students moving from a charter school  
24 in Georgia?

25 A I haven't received a lot of students from

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1 charter schools.

2 Q Okay. Have you received any?

3 A I have gotten calls about a couple, but usually  
4 if they're a charter school, they still have the option  
5 to go back to their zoned school and then it follows  
6 through that LEA.

7 Q Okay. And zoned school would be the  
8 neighborhood school?

9 A Right, the home school.

10 Q The home school?

11 A Yes.

12 Q Making sure we're using the same terms. We can  
13 use zoned school.

14 A Right.

15 Q I just wanted to confirm.

16 Let's go to -- so on the flow chart, it says  
17 at -- in that top box, in the last sentence, "A check  
18 list of 'Guiding Questions' is completed to determine  
19 whether more work is needed at the school level or to  
20 proceed with GNETS involvement."

21 Do you see that?

22 A Uh-huh.

23 Q Okay, let's --

24 A Yes.

25 Q -- go to the fifth attachment, which it's

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1 GA00030549. Let me know when you are at that document.

2 A I've got it.

3 Q Is this the checklist of guiding questions?

4 A Yes.

5 Q And this -- was this issued by GaDOE?

6 A Yes.

7 Q Okay. Did you play any role in creating it as  
8 GNETS director?

9 A Myself, I don't -- I think I may have. I don't  
10 remember.

11 Q This wasn't your team?

12 A No.

13 Q Okay. And does Elam Alexander Academy use this  
14 form?

15 A We do.

16 Q Okay. And are you required as a regional GNETS  
17 program to use this form?

18 A Maybe. I don't know if they look at this quite  
19 as much as the other two.

20 Q Okay. And by "they"?

21 A But we use it.

22 Q By "they" you mean other regional GNETS  
23 programs?

24 A Right. I can't speak to them.

25 Q Okay.

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1 A Yeah.

2 Q But Elam Alexander Academy uses this?

3 A Yes.

4 Q Okay. Are these steps that are required of you  
5 to follow before admitting a student into GNETS?

6 A I think they are considered.

7 Q Can you elaborate on that?

8 A Sure. So you -- you might have an IEP team  
9 that a student may not have an updated FBA.

10 Q Uh-huh.

11 A But they still are placed or receive GNETS  
12 services. So but this guidance says that -- you know,  
13 that that's the best practice, to have an FBA.

14 Q Okay.

15 A So I wouldn't say -- I don't know what term --  
16 required I wouldn't say.

17 Q So guiding questions?

18 A Guiding questions, because it's still an IEP  
19 decision.

20 Q Okay. So there -- are there consequences for  
21 disregarding some of these requirements?

22 A Not that I'm aware of.

23 Q Okay. Are these questions consistent with the  
24 GNETS rule?

25 A Yes.



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1 Q Okay.

2 MS. TUCKER: Claire is going to show a new  
3 exhibit that I'd like to introduce, and it will be  
4 Plaintiff's Exhibit 572.

5 (Plaintiff's Exhibit 572 was marked for  
6 identification.)

7 MS. CHEVRIER: We need to pause for just a  
8 minute for video.

9 MS. TUCKER: Oh, you need to pause? Okay.  
10 Sure.

11 THE VIDEOGRAPHER: The time is 1:11 p.m., and  
12 we are off the record.

13 (The deposition was at recess from 1:11 p.m. to  
14 2:05 p.m.)

15 THE VIDEOGRAPHER: The time is 2:05 p.m., and  
16 we are on the record.

17 MS. TUCKER: Thank you.

18 Q BY MS. TUCKER: Welcome back, Ms. Cole.

19 A Thank you.

20 Q Yeah. I hope you had a good lunch.

21 Just as a reminder, we're going to do our best  
22 not to speak over one another. So I will let you finish  
23 your answers before I ask a question or a follow-up, and  
24 if you -- you can try to do the same for me, if that  
25 works.

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1 A Yes.

2 Q Great.

3 So right before we broke, I had just introduced  
4 Plaintiff's Exhibit 572, and this is a document that  
5 Claire is going to show you electronically.

6 A Okay.

7 Q I will wait until you can see it. Okay.

8 This is a 16-page document with various  
9 spreadsheets. The top of the first page reads, "GNETS  
10 Referral/Consult 2019/20." And the Bates number on the  
11 bottom of the first page reads  
12 Elam-10-01-21-Supplement-1260. And we have redacted  
13 personally-identifiable information.

14 MS. SOLOMON: And Michelle, just for  
15 clarification, what is this exhibit number?

16 MS. TUCKER: This is Exhibit No. 572.

17 MS. SOLOMON: Okay.

18 MS. TUCKER: And we introduced that right  
19 before we ended, so I wanted to --

20 MS. SOLOMON: Okay.

21 MS. TUCKER: -- redo it.

22 Q BY MS. TUCKER: Great. Ms. Cole, do you  
23 recognize this document?

24 A Yes. That's from '19/'20 --

25 Q Yeah.

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1 A -- school year, yes.

2 Q Well, I'm gonna let Claire scroll through  
3 because there is some different spreadsheets, and I want  
4 to make sure -- if you want to maybe do it a little  
5 slower for her to look.

6 A Yeah, I know what this is.

7 Q Okay. Great.

8 So am I correct that this document identifies  
9 GNETS referrals/consults for identified months in school  
10 years 2019/'20, 2020/'21, and 2021/2022?

11 A I -- yes, I think so, if that's what it says.  
12 I see the '19/'20. I think it scrolled --

13 Q Here, we can --

14 A -- too fast --

15 Q -- scroll back --

16 A -- for the other.

17 Q -- so you can look at the others. We can go  
18 page by page for you to just take a quick look.

19 A I see '19/'20.

20 Q Keep scrolling. Good.

21 A Yes.

22 Q Okay. Great.

23 Can you tell me about the creation of this  
24 document?

25 A So Steven Grant creates this and shares it --

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1 or it used to look like this -- with me and our  
2 leadership team when we would meet.

3 Q Okay. When you say "used to look like this,"  
4 what does it look like now?

5 A It's under the team's platform, so it looks a  
6 little different.

7 Q Understood. And this is something that  
8 Mr. Grant does regularly?

9 A Yes.

10 Q Okay. And what is meant by  
11 "referrals/consults"?

12 A So it's a request for placement or services and  
13 then request for consultation. So it's the two -- it's  
14 the two routes.

15 Q And just to make sure we're on the same page,  
16 it's the two routes on the flow chart that --

17 A Yes.

18 Q -- we were looking at?

19 A Yes.

20 Q Okay. And that's the flow chart that we were  
21 just looking at. And then we can flip back to it if  
22 you'd like. Claire can keep this on the page, but I just  
23 want to flip back.

24 So that was in Exhibit 460 that we are flipping  
25 back to, and the flow chart on page GA00030544.

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1 A Yes.

2 Q Okay. Great.

3 So is this the consultation route or the  
4 standard process route?

5 A Both.

6 Q What about the move-in route?

7 A All three.

8 Q All three. Okay. Looking at the document that  
9 you see online, there's -- on the second page -- go to  
10 page 2 -- thank you -- there's a column titled  
11 "Referral", do you see that, at the bottom of page 2?

12 A Yes.

13 Q Okay. And I see codes of R and C and T, if I  
14 flip through.

15 A Yes.

16 Q What do R, C, and T mean?

17 A So R is referral.

18 Q Uh-huh.

19 A C is consult. And T is transfer.

20 Q Oh. Thank you.

21 So they match up exactly with the flow chart?

22 A Yes.

23 Q Okay. Thank you.

24 And then how often does Mr. Grant track this --  
25 track this information?

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1 A Then, not as often as he should. Now, we do it  
2 weekly.

3 Q Okay. Weekly?

4 A Yes.

5 Q About how often was he doing it in the past?

6 A Monthly to every two months.

7 Q Okay.

8 A Yes.

9 Q Why is it helpful for him to send this  
10 information weekly?

11 A Because I like to track our numbers.

12 Q Uh-huh. And you like to -- what do you mean by  
13 "like to track our numbers"?

14 A I like to know where we are currently, what  
15 we're looking at, how many students are being considered  
16 for services. I like to stay on top of that information.

17 Q Okay. Do you track for trends?

18 A No, not necessarily. I track really for  
19 capacity purposes.

20 Q Okay. Can you elaborate?

21 A Sure. So if I have -- like my Burke Campus,  
22 if a lot of my -- my classrooms are reaching capacity, 8  
23 to 12 students -- I like to maintain them at 8 to 10 --  
24 and then I have a log like this that shows there is 5 or  
25 6 students that they're wanting to meet on, then I need

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1 to know, you know, if this is even something that we can  
2 come to the table about.

3 So for capacity, whether or not I have capacity  
4 to even have these -- serve these students.

5 Q I understand.

6 If you are at capacity and there are students  
7 that are in line, what happens?

8 A So I communicate that quite often through  
9 collaborative communities with all the special ed  
10 directors. I let them know where we are at with capacity  
11 monthly. You know, we are serving this many students  
12 from your county. We are serving this many GAA students.  
13 We are serving this many Milestone students. And I tell  
14 them, you know, I -- I do not have any more room.

15 Q Uh-huh. And what happens to those students?

16 A We try to provide as much service as we can  
17 while they're in their schools and hope that it works;  
18 and then if not, you know, we come back to an IEP.

19 Q So those students are receiving services in  
20 their zoned schools?

21 A Some.

22 Q Uh-huh.

23 A Some.

24 Q Okay. You just mentioned a collaborative  
25 community.

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1 A Yes.

2 Q What's that?

3 A That's a special ed directors meeting once a  
4 month. They call it collaborative communities.

5 Q Special education directors for all school  
6 districts?

7 A For our LEAs, all of -- in our catch area.

8 Q So for your eight LEAs?

9 A Yes.

10 Q Okay. Are -- do your eight LEAs meet regularly  
11 not related then to GNETS?

12 I'll try to explain. So it sounds like these  
13 eight LEAs that you serve, the special education  
14 directors are meeting regularly?

15 A Once a month.

16 Q Once a month. And are they meeting because  
17 they're all in the same RESA and GNETS zone or for other  
18 reasons?

19 A They're all in the same RESA.

20 Q RESA, okay. Thank you.

21 A You're welcome.

22 Q Let's see. I am going to introduce another  
23 exhibit. You can drop that one if you'd like, the  
24 document. Okay.

25 MS. TUCKER: I'd like the court reporter to



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1 mark this document as Plaintiff's Exhibit 573.

2 (Plaintiff's Exhibit 573 was marked for  
3 identification.)

4 Q BY MS. TUCKER: This is a January 9th, 2019  
5 e-mail from you to Vickie Cleveland. The subject reads,  
6 "Question." The Bates number on the bottom of the page  
7 reads GA00338582.

8 Ms. Cole, do you recognize this e-mail?

9 A Yes.

10 Q Okay. Do you see where you wrote, "This is  
11 something that comes up quite often... but if an IEP  
12 team decides GNETS services are needed for a student, but  
13 the student is on grade level and has no academic  
14 goals... is that an appropriate placement?"

15 A Correct.

16 Q Okay. Can you elaborate, please, on what you  
17 meant?

18 A Sure. So typically if a student is being  
19 served through special education, they have some sort of  
20 academic impact. And that was the question I was asking.

21 Q Okay. So are you -- are you asking Vickie  
22 Cleveland whether GNETS placement is only appropriate if  
23 the student has academic impact?

24 A For this, I don't remember who the student was,  
25 but I was -- I was asking if that was even -- should be a

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1 consideration for GNETS, if that was even appropriate.

2 Q Okay. So GNETS aims to provide therapeutic and  
3 services supports, right?

4 A Uh-huh.

5 Q How is that related to academic goals?

6 A So for me it's more of a Tier I thing, so I'm  
7 asking the question if they don't have any academic  
8 deficits, how -- where are they in the continuum of  
9 special education? So that was my question.

10 Now, are kids placed to us for -- is that what  
11 you're asking me -- for academic reasons? Absolutely  
12 not.

13 Q Okay. Are the large majority of your students  
14 behind academically?

15 A Yes.

16 Q Okay. And this -- is this a factor in  
17 placement, academics?

18 A No.

19 Q Being behind?

20 A No.

21 Q Did Vickie Cleveland reply to you?

22 A I cannot remember.

23 Q Okay. Have you sent other questions to Vickie  
24 Cleveland or others at GaDOE regarding student placement?

25 A Maybe.

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1 Q Okay. This is a question that you -- like a  
2 type of e-mail that you would write if you had that  
3 question?

4 A But it would be not to anybody just in GaDOE.  
5 It would probably be Vickie or LaKesha or Nakeba at the  
6 time.

7 Q Okay.

8 A Yeah.

9 Q Not GaDOE everyone?

10 A No. No.

11 Q Thank you, Ms. Cole.

12 So what is Elam Alexander Academy's goal with  
13 respect to exiting students out of the program?

14 A That's -- that is the goal. The goal is if  
15 when they come in, we work on their behavior goals,  
16 whatever they may be, and then start transitioning them  
17 out when they start experiencing success. And then, you  
18 know, we have a whole process that we -- we go through.  
19 If they go back to a satellite class, then we want to  
20 continue the services but start pulling back and then  
21 just continue that process. So the goal is for them  
22 always to return to their schools.

23 Q Is there a magic number goal of how long  
24 students typically stay in GNETS?

25 A No.

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1 Q Do you conduct analysis about whether this goal  
2 is met and how long students are staying?

3 A You mean length of time?

4 Q Yeah.

5 A Average length of time?

6 Q Uh-huh.

7 A No.

8 Q No. Why not, if it's a goal?

9 A Well, it's an individual goal.

10 Q Uh-huh.

11 A It's not a program-wide goal.

12 Q Uh-huh.

13 A Does that make sense?

14 So there's no way -- I have students coming in  
15 all the time. I can't -- if I took a -- there's no --  
16 there's no way I could do that. I don't -- I mean, I  
17 don't have the time to do something like that.

18 Q Do you look at any data as a whole for how long  
19 students are staying in GNETS, the range?

20 A No.

21 Q Okay. How can you ensure your goal of exiting  
22 students is met if you're not looking at this?

23 A Because I just go by IEP meetings. You know,  
24 it's an individual thing.

25 Q Have you seen different length of time spent in

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1 GNETS at different -- at your different GNETS locations?

2 A Per site?

3 Q Uh-huh.

4 A I have some students that come and stay six,  
5 seven weeks. I have some students that stay years.

6 Q Uh-huh.

7 A The satellite programs are really successful, I  
8 would say, because we -- you know, they're able to go  
9 out. We start that process there. So we see a lot of  
10 success in that environment.

11 Q Uh-huh. Are you saying you see more success in  
12 the satellite programs with the students exiting?

13 A Right, because the students already met their  
14 behavior goals to even be there.

15 Q Okay. Are all of your students at satellite  
16 classes taking some classes outside of the GNETS program?

17 A I would say the majority. I'd have to look at  
18 their IEPs, but the majority are.

19 Q Okay. I know you -- you just said you don't  
20 have an average length of time in GNETS.

21 A Right.

22 Q Do you know the shortest amount of time since  
23 you've been director of a student saying in GNETS?

24 A Six weeks.

25 Q Six weeks.

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1 What about the longest?

2 A Oh, we've had some before I was the GNETS  
3 director, and it would be years.

4 Q Are there some that spend their entire  
5 educational career in GNETS?

6 A No, not that I can recall.

7 Q So no one starting in kindergarten and ending  
8 in --

9 A In 12th grade. Not that I can recall, no.

10 Q From what you can recall, what would you say  
11 the highest years is, would be?

12 A I would say -- I mean, I'd have to guess, but  
13 we have some students that may be five years; five, six  
14 years.

15 Q Uh-huh. Does that length of time concern you?

16 A I think it's a topic of conversation, you know.  
17 Sometimes it's because we are their least restrictive  
18 environment. Sometimes it's because -- there's multiple  
19 factors. Do you want me to go through what I thought?

20 Q Yes, please.

21 A Okay. So sometimes the parents are more --  
22 they are happy with the services that they're getting.  
23 They are nervous about moving kids back out. That's  
24 always a factor.

25 Sometimes we are the LRE. Sometimes we've

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1     tried to move them out. They haven't been successful.  
2     They return. So those are -- those are always topics of  
3     conversation.

4           Q     Who are these topics of conversation with?

5           A     Special ed directors and then my coordinators  
6     as well.

7           Q     Have you had this conversation with other GNETS  
8     directors?

9           A     Sure.

10          Q     What about with LaKesha Stevenson or Vickie  
11     Cleveland?

12          A     Not that I can recall.

13          Q     Is exit criteria and length of stay discussed  
14     at any of your GNETS director meetings?

15          A     So we don't have exit criteria. It's  
16     individualized. It's their behavior goals. So we don't  
17     discuss exit criteria.

18          Q     Okay. What about length of time in GNETS?

19          A     Not -- not that I can remember.

20          Q     Okay.

21          A     Did you say talk to -- about in GNETS  
22     directors?

23          Q     Uh-huh.

24          A     No, I don't believe so.

25          Q     Okay. So you just said you do not have any

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1 standard exit criteria?

2 A Correct.

3 Q Has there been standard exit criteria in the  
4 past?

5 A Yes.

6 Q When did that change?

7 A A few years back. I believe that all kind of  
8 rolled around at the same time. I want to say four years  
9 ago. I can't -- I can't be specific. A couple years  
10 ago.

11 Q When you say "the same time," are you referring  
12 to the -- when the GNETS rule came out and those -- the  
13 flow chart?

14 A Right.

15 Q Okay. And the --

16 A I believe it was around that time.

17 Q Okay. I understand.

18 What was the exit criteria at that time?

19 A That was the goals that they had to meet prior  
20 to us discussing them moving to a different environment.

21 Q And what was it?

22 A It's based on the student.

23 Q Okay.

24 A That was individualized.

25 Q Okay.



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1 A That was a part of the IEP.

2 Q So how is it different now?

3 A So it's not -- it doesn't -- so when you had a  
4 hard core exit criteria, then we would have to look at  
5 data and say, okay, now they've met it. Now we can have  
6 the discussion.

7 Now it's just part of the IEP. Let's talk  
8 about where they're at with their goals. Are they at 70  
9 percent, 80 percent? What's their mastery level?  
10 Whatever it may be. But that's not a rule we have to go  
11 by. If they are only at 70 percent but we still want to  
12 consider transition, then we consider transition.

13 Q What about -- what brought about this change?

14 A I have no idea.

15 Q Okay. Have you found it helpful?

16 A To remove exit criteria?

17 Q Uh-huh.

18 A I believe so. I think it needs to be  
19 individualized. It needs to be based on the student.

20 Q What does transition look like for an Elam  
21 Alexander Academy student?

22 A Well, it's based on the IEPs. It's their team,  
23 so we -- I think we spoke about that before. They can go  
24 to a satellite class. They can go back to their zoned  
25 school. It could be half day, full day, every other day.

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1 Q And it's student dependent?

2 A Uh-huh.

3 Q Okay. How does Elam Alexander Academy  
4 coordinate with the zoned school they're moving back  
5 into?

6 A So they are part of the IEP team. So if we are  
7 considering services back, I oftentimes recommend that  
8 they go beforehand and take a tour, meet the principal,  
9 maybe meet the teacher, learn the environment, kind of  
10 get a feel for it, the school culture, and then we start  
11 making that move.

12 Q Okay. And how long does the typical move take?  
13 Is it immediate? What does it look like?

14 A Right. So if we have an IEP meeting and we say  
15 that we need to look at transitioning and it's going to  
16 start on this date, so it's just a couple of days,  
17 usually.

18 Q Okay.

19 A Then we try to have that meeting where they can  
20 go and actually see the building. It brings the anxiety  
21 down.

22 Q Does Elam Alexander Academy check in with  
23 students once they have moved to their zoned school?

24 A If it is part of their IEP. So we do do some  
25 check-in/check-out or consultative work --

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1 Q Uh-huh.

2 A -- if it's -- if it's decided in the IEP.

3 Q Okay. And this is the consultative work we  
4 discussed earlier with the segments?

5 A Yes.

6 Q Okay.

7 A It could be that way. Or it could just be like  
8 with a teacher, yes.

9 Q More informal?

10 A Yes.

11 Q And then who arranges for the services at the  
12 new placement, the new zoned school? Is that just only  
13 through the zoned school, or do you all help determine  
14 what services are needed?

15 A That's through the IEP team.

16 Q How often are students assessed to determine  
17 whether it's time to transition them to a less  
18 restrictive setting?

19 A So I wouldn't say that's an assessment type  
20 thing. That's something that we have PLC meetings, like  
21 the learning communities inside our school, where they  
22 meet weekly and review student data, and then we start  
23 the process there. And so the instructional coach may  
24 say, okay, we need to start talking to this student about  
25 moving, and the family, and let's get that whole process

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1 started. So they review data weekly.

2 Q Okay. The PLCs?

3 A Yes.

4 Q Is every teacher part of a PLC?

5 A Yes.

6 Q And they have their caseload? Like their class  
7 is their caseload?

8 A Right. They review their caseload.

9 Q And that's weekly?

10 A Yes.

11 Q And then if the PLC determines that this  
12 conversation is necessary, what -- what happens next?

13 A Usually they will e-mail the coordinator and  
14 say, I think that we need to start talking about  
15 so-and-so transitioning out, and we set up an IEP  
16 meeting.

17 Q Okay.

18 A And then we go from there.

19 Q Okay. And could this meeting be earlier than  
20 the annual IEP meeting?

21 A Absolutely.

22 Q Okay. And that happens often?

23 A Yes.

24 Q Okay. So on what basis is the determination  
25 made that a student is ready to transition to a less

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1 restrictive setting?

2 A You mean through the IEP process?

3 Q Uh-huh. Yes. Through the IEP process,  
4 what's -- what's discussed, what factors?

5 A The data, the behavior data that we have  
6 collected based on their goals, their IEP goals.

7 Q What type of behavior data are you looking for  
8 for students -- or what type of behavior data exists on a  
9 student's IEP as a goal, as an example?

10 A Physical aggression, verbal aggression,  
11 self-injurious behaviors.

12 Q And is it that the goal is that there is none  
13 of this --

14 A No.

15 Q -- happening?

16 A No. It's usually 80, 80 to 90 percent.

17 Q Are there disabilities considered when setting  
18 these goals in the -- like that some of these actions may  
19 be a manifestation of their disability?

20 A Absolutely. So if you have a GAA student  
21 that's maybe autistic and has very little communication,  
22 so their aggression might be a little bit higher.

23 Q Uh-huh.

24 A So that's going to look a little different than  
25 it would an emotional behavior disorder kid that, you

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1 know, fights or doesn't accept feedback well, and that's  
2 their initial reaction is to fight or hit.

3 Q From the goals that you've seen on IEPs, do you  
4 see them as attainable for these students?

5 A Mostly, yes.

6 Q What do you mean by "mostly, yes"?

7 A Sometimes there is times that they expect too  
8 much, you know, that they expect them to be at the 90  
9 plus. You know, and that's just -- that's not  
10 attainable.

11 Q So what happens in those --

12 A We -- I'm sorry, I talked over you. I'm so  
13 sorry.

14 Q -- instances?

15 It's okay. We're both doing it. We will work  
16 on it together.

17 What happens in those instances?

18 A We amend the IEP.

19 Q And how do you raise that?

20 A I say it.

21 Q Okay. And you can be in the IEP meeting?

22 A Yes.

23 Q Okay. Do you think there are several students  
24 in your program that have unattainable goals right now?

25 A I would hope not.

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1 Q Okay.

2 A But I don't -- I don't always know what their  
3 goals are.

4 Q Okay. But it's something that you do see?

5 A Yes.

6 Q Is it something that your coordinators are told  
7 to look out for?

8 A Yes.

9 Q Okay. And do they raise those questions to you  
10 when they see it?

11 A Yes.

12 Q Okay. And do you see each of your coordinators  
13 doing that?

14 A Yes.

15 Q Okay. So for last school year, so that's the  
16 2021/'22 school year, how many students transitioned back  
17 to their zoned school?

18 A I do not remember.

19 Q Okay. If you had to ballpark it?

20 A I don't know that I could.

21 Q Okay. Understood.

22 Is this something that you include on the GNETS  
23 grants application?

24 A I don't know if I include it on that, but I do  
25 gather that. Like maybe two to three times a year, I

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1 look at that data. So like when you ask a question like  
2 that, I immediately go to a graph that's -- but I don't  
3 know that number.

4 Q And you look at this two to three times a year?

5 A Yes.

6 Q And why do you look at it?

7 A Because I like to look at it and use it and see  
8 where I'm at.

9 Q And what are you looking for when you are  
10 seeing where you are at?

11 A I want to see an increase in transition to the  
12 LRE.

13 Q In the last few years, do you think there has  
14 been an increase in transition to the LRE?

15 A I would say there was until COVID, when  
16 everything kind of went virtual.

17 Q Uh-huh.

18 A Because then when we returned to school, it's  
19 hard to transition a kid when you don't know how they are  
20 behaviorally. So preCOVID, yes, we had -- we had some  
21 success there.

22 Q Okay. How about if we just want to look at  
23 last year and this school year? What does it look like?

24 A I think we're on track.

25 Q On track?



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1 A Uh-huh.

2 Q To continue going down?

3 A Yes.

4 Q Okay. Have you had any students transition  
5 back to GNETS after going to their zoned school?

6 A Sure.

7 Q And why would this happen?

8 A I'm trying to think of specific cases. It  
9 could be a change in family setting. It could be that  
10 something traumatic has happened. It could be -- you  
11 would be surprised how many times parents request that  
12 they come back. Some behavioral incident. Something  
13 major has happened.

14 Q Okay. So would you say it's like a handful of  
15 times or more?

16 A Probably a handful.

17 Q Okay.

18 A Not -- less than more.

19 Q Understood. Thank you.

20 Ms. Cole, are you familiar with the IDEA?

21 A Yes.

22 Q Okay. What is the IDEA?

23 A You are gonna ask me all these questions and my  
24 brain is dead.

25 Q No, it's okay. No pop quiz.

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1 A Okay.

2 Q Would you agree that it is a federal law?

3 A Yes.

4 Q Okay. What is a continuum services reference  
5 in the IDEA?

6 A So that's from -- all the way from regular, all  
7 the way through -- are you just wanting special  
8 education?

9 Q Yes.

10 A Okay. So you can have --

11 Q Well, let's start with regular education.

12 A Okay. So you go through that whole continuum.  
13 You are identified as receiving special education  
14 services. You can have co-teach, pull-out. You can have  
15 self-contained --

16 Q Education service, co-teach, pull-out?

17 A Uh-huh.

18 Q Okay.

19 A You kind of work all the way through that  
20 process. Some sort of self-contained in the school  
21 district, and then you start trickling down. I'm the --  
22 I should be the last resort.

23 Q Okay. Do you think that you are seen as the  
24 last resort?

25 A I should be seen as the last resort. It

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1 depends on the LEA's continuum that they have in place.  
2 Every LEA looks different.

3 Q Which LEAs that you serve do a good job of  
4 seeing you as the last resort?

5 A Probably in the smaller counties. Houston  
6 County does a fantastic job as well.

7 Q Okay. And which counties do you think need  
8 some guidance on you being -- Elam Alexander Academy  
9 being the last resort?

10 A That would be Bibb County.

11 Q Okay. So Elam Alexander is on the continuum of  
12 services?

13 A Yes.

14 Q Okay. Let's go back to -- it's one I  
15 introduced already -- Plaintiff's Exhibit 563. It was  
16 towards the beginning of our conversation.

17 A Okay.

18 Q It's the document with the fiscal year '22 site  
19 locations. It looks like this --

20 A Yes.

21 Q -- without my scribbles.

22 A Yes.

23 Q Okay.

24 A 562. Hold tight.

25 Q It's not one of the attachments to that one, so

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1 it shouldn't be paper clipped.

2 MS. SOLOMON: It's one page?

3 MS. TUCKER: Yeah, one page, ending in 005.

4 THE WITNESS: Did I skip it? Did I throw it  
5 away?

6 MS. SOLOMON: Let me see if I can help you find  
7 it.

8 THE WITNESS: Well, this is --

9 MS. TUCKER: If not, we can pull it up  
10 electronically.

11 THE WITNESS: Let's see if it's that one. It  
12 might be that one, because I'm at 562. See if it's that  
13 last one.

14 MS. SOLOMON: No, that's your -- here it is.

15 THE WITNESS: Okay.

16 MS. TUCKER: Sorry to make you go through the  
17 papers.

18 THE WITNESS: No, you're fine. You're good.

19 Thanks, Sydney.

20 MS. TUCKER: Those all have to go back to the  
21 court reporter.

22 THE WITNESS: Oh, okay. It's going to be  
23 messy.

24 Q BY MS. TUCKER: We'll get it together.

25 So with the seven school-based GNETS site

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1 locations identified on this document that we went  
2 through earlier, I just -- it seems that they are in Bibb  
3 County, in Jones County, in Peach County, and Crawford  
4 County; is that correct?

5 A My sites?

6 Q Yeah, in that year.

7 A Yes.

8 Q So what lesser restrictive settings do students  
9 receiving GNETS services get in Houston, Jasper, Monroe,  
10 and Twiggs?

11 A So they may have their own classes.

12 Q Okay. As in non-GNETS classes?

13 A Correct.

14 Q Do you know how those counties work with  
15 students with characteristics of EBD?

16 A You mean their programming?

17 Q Uh-huh.

18 A I do not know.

19 Q Okay. But it's in the county?

20 A Yes.

21 Q Uh-huh. Okay.

22 Do students at the Burke Campus have  
23 opportunities to interact with nondisabled peers during  
24 the school day?

25 A Not during the school day.

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1 Q Okay. Do you have any students at the Burke  
2 Campus that you believe could interact with nondisabled  
3 peers during the school day?

4 A If I did, we'd have IEP meetings.

5 Q Can you explain that?

6 A So that's part of the process of moving kids  
7 out.

8 Q Okay. So you're saying that if you had  
9 students that you believe can interact with nondisabled  
10 peers, you would convene IEP meetings?

11 A Appropriately, yes.

12 Q Okay. And that's something that you are  
13 working on?

14 A Yes.

15 Q Okay. Do you think such opportunities to  
16 interact with nondisabled peers is beneficial for  
17 students?

18 A Sure.

19 Q Why?

20 A Because it -- you know, it gives you a frame of  
21 reference.

22 Q A frame of reference for what?

23 A What socialized, regular people look and act  
24 like.

25 Q And then what about the Southwest Campus? Do

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1 they have opportunities to interact with nondisabled  
2 peers during the school day, the students that are in  
3 the -- the wing at the center?

4 A During like mealtime, like if they go to the  
5 cafeteria or if they go to lunch or breakfast.

6 Q Do they go to the cafeteria and lunch and  
7 breakfast at the same time as the nondisabled peers at  
8 the high school?

9 A I believe so, but I don't know what their  
10 schedule is.

11 Q Okay.

12 A I don't know who's in there at that time.

13 Q So you're not sure?

14 A I'm not sure.

15 Q Okay. Thank you.

16 Okay. Ms. Cole, what are your views on  
17 providing students with school-based therapeutic services  
18 in schools?

19 A For gen ed or just generally speaking?

20 Q Let's start with general, and then we will go  
21 to special ed.

22 A I think -- I think probably it's a good idea to  
23 have some sort of wraparound services provided to all  
24 young people.

25 Q And then what about for special education

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1 specifically?

2 A I think it's a good idea.

3 Q Does Elam Alexander offer any therapeutic  
4 services to its students in school?

5 A Therapeutic services like access to a social  
6 worker or social worker groups? That's what I think of  
7 when you say that. So I have social workers. We provide  
8 Tier I groups, which would be like general topics. So I  
9 may have a social worker tech that goes in. I do. It's  
10 not "may". I do, go into every class and provide a  
11 lesson on social skills, whatever the monthly topic is.

12 If you kind of rise to the level and you move  
13 more to a Tier II, then you may have individualized or  
14 smaller group -- groups. You may have individual time  
15 with a social worker or social worker tech. We've got  
16 crisis interventionists who go in and work with kids.

17 Q Okay. You referred to two tiers, Tier I and  
18 Tier II. What are you referring to?

19 A So Tier I is the support that everyone  
20 receives. Tier II is when you may have more behavior  
21 issues. You may have three to five out-of-school  
22 suspensions. You may have social work referrals that,  
23 you know, may make a lot of complaints or things like  
24 that. That's things that we track and we know, okay, we  
25 need to provide them with more support. And then we may



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1 do some check-in/check-out with that child with their  
2 preferred adult. That kind of thing for a Tier II.

3 Q Okay. So earlier when you were saying Tier I,  
4 you would have a social worker tech come in on a monthly  
5 lesson on social skills, that's for all of your students?

6 A Correct.

7 Q Okay. And that's at your students at centers  
8 and school-based locations?

9 A Not school-based.

10 Q Just centers?

11 A Just centers.

12 Q Okay. And then when you are talking about Tier  
13 II, you mentioned potentially individualized social work  
14 meetings or crisis intervention, correct?

15 A Correct.

16 Q And is this also just for centers?

17 A Correct.

18 Q Okay. So is the menu of services -- the menu  
19 of therapeutic services that Elam Alexander Academy  
20 offers only at centers?

21 A To that degree, yes. So if, say, we have a kid  
22 in a satellite classroom that something could come up or  
23 the teacher calls and says that he's had some thoughts or  
24 drawn a picture or something like that, then I will send  
25 a social worker out.

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1 Q Okay.

2 A But it's not regularly scheduled.

3 Q What type of therapeutic services do students  
4 at the school-based locations receive then?

5 A Outside of just GNETS, so all of my teachers  
6 are trained in like MindSet curriculum or restorative  
7 practices, student achievement model, and second step.  
8 So those are some in-house things that we train on. So  
9 they receive those therapeutic services from our  
10 teachers. So those are the GNETS teachers and para pros,  
11 so they are trained under us.

12 Q Okay. I'm looking at this to go by. So it's  
13 student achievement model, what's that?

14 A Social skills.

15 Q Okay. Got it.

16 And then what is second step?

17 A Second step is -- it falls under the same thing  
18 as social skills. It's just kind of like a scripted  
19 teaching.

20 Q Okay.

21 A It's a program.

22 Q And you also mentioned MindSet?

23 A Yes.

24 Q And what is MindSet?

25 A MindSet curriculum is how you talk to kids in

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1 crisis. It's de-escalation techniques.

2 Q And these are therapeutic services that are  
3 offered to students at the school-based locations  
4 regularly?

5 A Yes.

6 Q How are these integrated into their day? For  
7 example, I'm thinking of a -- a middle schooler and they  
8 have just segments in GNETS. How are they getting these  
9 therapeutic services?

10 A So you remember the five? If somebody said --

11 Q Uh-huh.

12 A That might be a social skills class.

13 Q Okay.

14 A So that's how they get that. It's through the  
15 IEP process.

16 Q Okay. And when you refer to the five, we are  
17 referring back to the out of 30 segments?

18 A Yes.

19 Q So five is one class?

20 A Yes.

21 Q Okay. And then at the elementary school level,  
22 is that just integrated during the day, as those kids do  
23 not switch classes?

24 A At the main center?

25 Q At a school-based.

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1 A At a school-based, no, it's separate.

2 Q Okay.

3 A Yeah.

4 Q Are any services -- are all services,  
5 therapeutic services that we've just went over, provided  
6 by program staff?

7 A My program staff?

8 Q Yes.

9 A Yes.

10 Q Okay. Are any done through contracted service  
11 providers?

12 A No.

13 Q Okay. Why not?

14 A I don't contract with --

15 Q Okay.

16 A -- anyone.

17 Q Is that just a choice that you've made?

18 A Yes.

19 Q Okay. And then is Medicaid billed for any of  
20 these services?

21 A No.

22 Q Okay. And all services are provided on-site?

23 A Yes.

24 Q Okay. And who decides that services will be  
25 provided at all -- all of the different site locations

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1 for Elam Alexander Academy?

2 A The IEP team.

3 Q IEP team. So if an IEP team requests a  
4 therapeutic service that you don't offer in your current  
5 menu, do you get it? Or what happens?

6 A I don't think I understand the question.

7 Q Yeah.

8 A So therapeutic services, no one has requested  
9 anything that I don't provide, I guess.

10 Q Okay.

11 A Maybe that's the answer. Okay?

12 Q Yeah. So you never -- there has never been an  
13 IEP team suggesting a service that you don't also have on  
14 your menu?

15 A Right.

16 Q Okay. Thank you.

17 A You're welcome.

18 Q What process would have to be followed if Elam  
19 Alexander Academy wanted to offer a new therapeutic  
20 service that you don't currently provide?

21 A We would train on it.

22 Q You would train on it?

23 A Uh-huh.

24 Q Are any approvals needed? If you wanted to add  
25 something in, do you need to talk to the LEA or GaDOE, or

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1 is it something you do?

2 A I don't think so. I just do it.

3 Q Okay. Have you done that recently?

4 A With restorative practices, I brought that in.

5 A lot of people started that, but I didn't seek approval.

6 I'm trying to think. That's the most recent.

7 Q All right. When was that?

8 A Probably about three years ago.

9 Q Okay. So prepandemic? Yeah.

10 A Maybe, yes, ish. I think we started the  
11 process.

12 Q Okay.

13 A Yes.

14 Q How is it going so far?

15 A Good.

16 Q Okay. And what does that look like?

17 A It's about when there is conflict between two  
18 students, how do you get them to have some sort of common  
19 understanding, reenter into that setting, and move  
20 forward copacetically.

21 Q And then was your whole staff trained on it?

22 A We are.

23 Q Okay. Are there any services that are provided  
24 to a specific student, that is, like followed a student  
25 that was new to your program?

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1 A Not that I can recall.

2 MS. TUCKER: Okay. I'd like to introduce  
3 Plaintiff's Exhibit 574.

4 (Plaintiff's Exhibit 574 was marked for  
5 identification.)

6 Q BY MS. TUCKER: Ms. Cole, do you recognize the  
7 documents that make up -- oh, actually, wait one second.

8 This is a compilation of documents. The first  
9 page reads "2018-2019 PBIS Distinguished Schools." And  
10 the Bates number on the bottom of the first page reads  
11 Elam-09-20-21-0223.

12 Ms. Cole, do you recognize this --

13 A Yes.

14 Q -- document? Okay.

15 Let's go to page 5, which ends in 227. Let me  
16 know when you are there.

17 A Yep.

18 Q Let me get there, too.

19 Am I correct that this page and the next page  
20 make up a brochure of sorts?

21 A Yes.

22 Q Okay. Can you talk to me about this brochure?  
23 What -- what is it? What does it describe?

24 A This is services that can be provided outside  
25 the school setting that are local, that are within our

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1 RESA for families that need additional services outside  
2 of the educational environment.

3 Q And so these are for outside the school  
4 setting?

5 A Yes.

6 Q Okay. Does Elam Alexander help facilitate any  
7 of these services?

8 A Sure, sometimes, if the parent requests us to  
9 do so.

10 Q Can you give me an example of what that would  
11 look like?

12 A So a parent may say, I really think I need  
13 to -- my child to get involved with some IFI services,  
14 and so we would provide them with this. We don't tell  
15 them which service to go with. We tell them, you know,  
16 which one -- you know, to give them this, and they can go  
17 do their research. And then sometimes they ask that we  
18 help do the application for them or we invite them to --  
19 if they already have these services, they can -- they can  
20 be invited to the IEP meeting.

21 Q And IFI refers to Intensive Family Intervention  
22 services?

23 A Yes.

24 Q Thank you.

25 Looking at the -- the next page, so I would



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1 think it would be the first page of the -- the brochure.  
2 Would that be correct?

3 A Yes.

4 Q I see the Burke program identified and the  
5 Southwest program identified -- or site, excuse me. Is  
6 that correct?

7 A Yes.

8 Q Okay. Were these brochures only provided to  
9 students/families at those two sites?

10 A They are regularly provided there. Now, if we  
11 have situations out at satellite, then we can -- we  
12 provide them then, too.

13 Q Okay. But this brochure wouldn't typically go  
14 to --

15 A No.

16 Q -- a student at the satellite?

17 A No.

18 Q And why is that?

19 A They're not -- these students don't require as  
20 much. They -- they don't require as many intensive  
21 services.

22 Q The ones at the satellite?

23 A Correct.

24 Q Okay. Those students are in the program in the  
25 segregated settings, though, correct?

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1 A Which students?

2 Q The GNETS students at the satellite, they are  
3 in the separate classrooms?

4 A They are in separate classrooms.

5 Q Okay. But there are services -- they don't  
6 need these services?

7 A Not most of them.

8 Q Looking, also, at this page, the one ending in  
9 228, are you familiar with your students receiving any of  
10 these inpatient child/adolescent services or using any of  
11 these child and adolescent psychiatrists?

12 A Some do.

13 Q And this is a brochure that you made?

14 A No, my clinical coordinator did.

15 Q Okay. And how long has it been used for?

16 A I think she made this a few years ago.

17 Q Okay. So, for example, with the psychiatrists,  
18 just making sure I understand, you all do not -- you, as  
19 in Elam Alexander Academy, do not contract with any of  
20 these psychiatrists?

21 A No.

22 Q Okay. Are you familiar with MTSS?

23 A Yes, that's the process they use in the  
24 schools.

25 Q Process for?

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1 A I guess provide services.

2 Q Okay. Do you know what it stands for?

3 A Multi-tiered of student supports.

4 Q Thank you.

5 Is this in place at Elam Alexander Academy?

6 A We are kind of beyond that.

7 Q Can you explain?

8 A Sure. So this is -- that's like a Tier I,  
9 moving through the tiers at the gen ed or the home school  
10 process. This has a lot to do with RTI, response to  
11 intervention, yeah.

12 Q And when you say you are beyond that, are you  
13 including your centers and school-based?

14 A Right. So most of my students have -- should  
15 have already moved through that process.

16 Q Okay. Has your staff received training on  
17 MTSS, or no because it's beyond it?

18 A No.

19 Q Okay. What about PBIS?

20 A Yes.

21 Q Okay. And what's PBIS?

22 A Positive Behavior Interventions and Supports.

23 Q Okay. So I'm looking at the first page of the  
24 document we just introduced, Plaintiff's Exhibit 574.

25 The top reads "2018-'19 PBIS Distinguished Schools." Do

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1 you see that?

2 A Yes.

3 Q Okay. Do you see that this page identifies  
4 both the Burke Campus and Southwest Campus as 2018/'19  
5 PBIS distinguished schools?

6 A Yes.

7 Q Okay. What does that mean?

8 A It means that we met the criteria to earn  
9 distinguished criteria. So we had more students served  
10 at the Tier I --

11 Q Uh-huh.

12 A -- which means they had less office discipline  
13 referrals, suspensions. This is the type of data that  
14 they track for that.

15 Q Okay. So it's student -- you are distinguished  
16 after there is less disciplinary issues?

17 A Correct.

18 Q Okay. And is this rubric the same for all  
19 schools?

20 A So GNETS has a different criteria to meet for  
21 the State level.

22 Q For the State level?

23 A Than a regular school, because all of our  
24 students are special ed.

25 Q Okay. And who decided this separate criteria?

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1 A The Department of Education.

2 Q The Georgia Department of Education?

3 A Uh-huh.

4 Q Okay. What comes along with a title like  
5 "distinguished"? Like what do -- I mean, I see you were  
6 recognized. Is there additional funding or anything else  
7 that comes along with it?

8 A No.

9 Q And is PBIS used at centers and school-based  
10 locations for Elam Alexander Academy?

11 A So it's used at centers and those schools that  
12 implement. If they are a satellite classroom, they  
13 follow along with that school.

14 Q Okay.

15 A So if they're implementing, then yes.

16 Q Do you know if your satellite classrooms are  
17 housed in schools that have -- that implement PBIS?

18 A I know Bibb does.

19 Q Okay. Are you not familiar with the other  
20 seven school districts?

21 A I am not.

22 Q Okay. Let's look at the next page. The next  
23 page reads, "Elam Alexander Pyramid of Interventions  
24 Reading and Math." Do you see that?

25 A Yes.

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1 Q Did you create this?

2 A No.

3 Q Who created it?

4 A That would be Hanna Kiser. She was the  
5 assistant director a couple of years back.

6 Q Looking at this page, do you see it as current?

7 A This was actually produced -- mostly current.  
8 Some -- some not.

9 Q Okay. Well, let's take a step back then. What  
10 does this page represent?

11 A So this is like tiers of intervention for  
12 academics. So this is what should take place in a Tier I  
13 classroom, what should take place in Tier II, and Tier  
14 III if necessary.

15 Q Okay. Which services are not current?

16 A So I wouldn't say it's not current, but we have  
17 additional.

18 Q Oh, okay.

19 A So we already use i-Ready and Unique, but we're  
20 also using STAR Assessment this year. So that would be  
21 individualized online at the bottom.

22 The Formative Benchmark testing, some of that  
23 has changed just because of district decisions. It might  
24 not be called School City anymore. That's the kind of  
25 things I'm talking about.

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1 Q Okay.

2 A But overall, you know, differentiating  
3 instruction, word wall, things like that.

4 (Court reporter clarification.)

5 THE WITNESS: Overall, the majority of these  
6 are in place, like differentiated instruction and visual  
7 schedules.

8 Q BY MS. TUCKER: So looking at this document in  
9 either -- any of the tiers, there is -- there is nothing  
10 that's not included anymore?

11 A Let me look through here.

12 Q Yeah, take your time.

13 A Uh-huh. Like I said, the only thing that may  
14 have changed is some of the Benchmark testing.

15 Q Okay. Thank you. And that's due to Bibb  
16 County?

17 A Right.

18 Q Let's look at the next page. The one that  
19 reads "Elam Alexander Academy Pyramid of Interventions  
20 Behavior Support." Did your same employee make this  
21 pyramid?

22 A Yes.

23 Q Okay. And does this page -- page guide all  
24 Elam Alexander Academy centers?

25 A There's actually one for Burke and there's a

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1 separate one for Southwest.

2 Q Oh.

3 A Because high school interventions may look  
4 different than K through 5.

5 Something popped up on the computer.

6 Q Okay. Thank you for letting us know.

7 A Sure.

8 Q We'll give that a second.

9 MS. SOLOMON: I'm just going to close out.  
10 It's wanting me to do a security scan.

11 THE VIDEOGRAPHER: I'm sorry about that.

12 MS. SOLOMON: It just says no threats found.  
13 I'm just going to close out.

14 THE VIDEOGRAPHER: Thank you.

15 MS. SOLOMON: Yeah, you have no viruses.

16 Q BY MS. TUCKER: So Ms. Cole, you are saying  
17 that you have a separate pyramid for Burke and a separate  
18 pyramid for the Southwest Adolescent Center?

19 A Correct.

20 Q Okay. I don't believe we received those. Are  
21 they new?

22 A No. So they're -- we have two different PBIS  
23 teams. We have one at the high school and one at the  
24 Burke Campus. I'm not sure if you guys did or not.

25 Q Yeah. This is --



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1 A So that's developed a lot through them.

2 Q Okay. That's something we can follow up with  
3 with you all --

4 A Absolutely.

5 Q -- to receive. Thank you.

6 And then is this pyramid, the one that we are  
7 looking at then, is this used for the school-based or the  
8 satellite locations or no?

9 A No, school-based.

10 Q Okay. Say that again.

11 A School-based. I'm sorry, this is the Burke  
12 Campus.

13 Q This is Burke Campus?

14 A Correct.

15 Q Okay. So let's start over. So the document at  
16 the bottom that ends in 0225, this is for Burke Campus?

17 A Correct.

18 Q But there is a separate pyramid for Southwest  
19 Adolescent Center?

20 A Correct.

21 Q And there is no pyramid for the satellites  
22 because it depends on what that school is doing?

23 A Well, yes and no. It depends on if they  
24 already have PBIS in place, but then, you know, it  
25 depends on the IEP. If their IEP may require check-in/

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1 check-out, that might be on there, and that's a Tier II  
2 intervention.

3 Q Uh-huh.

4 A So they don't require a pyramid of services.

5 Q Got it. Okay. Thank you.

6 Looking at this pyramid with only Burke in  
7 mind, is this current?

8 A Some things are not.

9 Q Okay.

10 A Do you want me to go through that?

11 Q Yeah. Let's start with Tier I, and then we'll  
12 work our way up just so I can make sure I follow you.

13 A Sure. So the first column is correct.

14 The second column, we don't do dance therapy.  
15 We had a -- when this was -- when this was developed, we  
16 had a dance teacher, a music dance teacher. We do not  
17 have that anymore.

18 And then the third column is TeachTown, and we  
19 do not use TeachTown anymore.

20 Q Okay. Before we move up to Tier II, why --

21 A Oh.

22 Q Go ahead.

23 A One more. I'm so sorry. Trauma-informed care,  
24 we talked about that earlier.

25 Q Yeah.

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1 A Instead of trauma-informed care, we use  
2 restorative practices.

3 Q Okay. So back to dance therapy that you no  
4 longer have, when did you stop having it?

5 A We had it all the way up until we left for  
6 COVID.

7 Q Okay. Is this something that you are  
8 considering adding back?

9 A Not really.

10 Q Okay. And why is that?

11 A It's hard to find somebody that does that work.

12 Q Okay. And the person that was in this role no  
13 longer is with Elam Alexander Academy?

14 A She is not.

15 Q Okay. Did you find it helpful for students  
16 prior?

17 A They enjoyed it.

18 Q What about TeachTown? You no longer use  
19 TeachTown?

20 A No.

21 Q And why is that?

22 A That was actually provided -- I don't think it  
23 was provided from the DOE level. I think that was from  
24 Bibb County level. I can't recall. But that was  
25 training that we received then, and we don't -- we no

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1 longer utilize that.

2 Q And what is TeachTown training?

3 A TeachTown did a lot of work with ABA type work.

4 Q Okay. And what is ABA?

5 A Applied behavior analysis.

6 Q Okay. And do you still employ ABA in another  
7 way?

8 A I have an ABA, yes.

9 Q Okay. And then you no longer do  
10 trauma-informed care but do restorative practices?

11 A Correct.

12 Q Let's go to Tier II. What has changed?

13 A The same; group, music, dance therapy.

14 Q Okay. Anything else?

15 A No.

16 Q Okay. And what about in Tier III?

17 A Let me look. It's still the same.

18 Q Okay. Let's go to the next page. That  
19 reads -- starts with the PBIS Behavior Flow Chart. Do  
20 you see it?

21 A Yes.

22 Q Okay. Is this the same for Elam Alexander  
23 Academy as a whole or is this just the Burke Center?

24 A Just the Burke.

25 Q And is there a companion document for the

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1 Adolescent Center at Southwest?

2 A Yes.

3 Q Okay. And is this the same for -- that the  
4 satellite locations would just follow the school that  
5 they are in?

6 A Yes.

7 Q Okay. And who was this created by?

8 A The PBIS team.

9 Q Okay. At -- for Burke?

10 A Correct.

11 Q And is this current, from looking at it?

12 A I believe this is from 2017, so I would say no.

13 Q Okay. Have there been significant changes?

14 A I would not say too many significant. It's  
15 just looked at every year and then we, you know, make  
16 changes as needed.

17 Q Is a flow chart like this on PBIS behavior, is  
18 that required by any entity? Is it required by Bibb? Is  
19 it required by GaDOE?

20 A No.

21 Q Okay. It's something that you all have opted  
22 to do?

23 A Right. That's part of the PBIS framework.

24 Q And being a distinguished school?

25 A Yes.

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1 Q Ms. Cole, I'd like to introduce Plaintiff's  
2 Exhibit 575.

3 (Plaintiff's Exhibit 575 was marked for  
4 identification.)

5 Q BY MS. TUCKER: This is an e-mail thread  
6 between you and Sandra DeMuth, with the most recent  
7 e-mail being from October 14th, 2016. The subject reads,  
8 "PBIS recognition," and the Bates number on the bottom  
9 reads GA03007811.

10 Ms. Cole, do you recognize this e-mail thread?

11 A Yes.

12 Q Who is Sandra DeMuth?

13 A She was the program specialist for PBIS at the  
14 Department of Education that supported GNETS.

15 Q At the Georgia Department of Education?

16 A Yes.

17 Q Okay. That supported GNETS?

18 A Yes.

19 Q Okay. Who is in that position now? It sounds  
20 like Ms. DeMuth has left.

21 A I think she's still kind -- I think she's part  
22 time now.

23 Q Okay.

24 A Yes.

25 Q So is she still your contact?

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1 A She is.

2 Q Okay. Sorry. I thought you had meant she was.

3 A There -- I think there is multiple people,  
4 though. That's why I'm -- she is still in there.

5 Q Okay.

6 A Yeah.

7 Q And how frequently do you have contact with  
8 GaDOE regarding PBIS?

9 A Not often.

10 Q What would -- just ballpark, like estimate.  
11 Like is it every six months or every year?

12 A Maybe every year.

13 Q Okay. And then am I correct that Ms. DeMuth  
14 was writing to you about whether Elam Alexander Academy  
15 was to receive distinguished status?

16 A I'm sorry, say that one more time.

17 Q So am I correct that Ms. DeMuth is writing back  
18 to you about whether Elam Alexander Academy was to  
19 receive distinguished status?

20 A Yes.

21 Q And the answer was no in 2016, correct?

22 A Correct. I think it was operational status,  
23 though.

24 Q Okay. Is that right below distinguished?

25 A Yes. I think that's actually before they

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1 created distinguished.

2 Q Okay. And then it looks like in that e-mail  
3 Burke Campus is emerging, so that's below operational?

4 A Correct.

5 Q And then, Ms. Cole, do you see in your top  
6 e-mail where you write, "Are GNETS programs held to the  
7 same standard as the general ed schools"?

8 A Yes.

9 Q Okay. Based on your answer a moment ago, it  
10 sounds like the answer is no now?

11 A And it was no then, too.

12 Q It was no then, too?

13 A Uh-huh.

14 Q Okay. Are there other schools within Georgia  
15 that are held to a different criteria?

16 A I'm not sure.

17 Q But you know the G -- the GNETS?

18 A We have a separate form, a separate criteria.

19 Q Have you seen the general criteria?

20 A I've seen it, but I -- I mean, I think I've  
21 looked at it a couple of times, but nothing that I can  
22 remember.

23 Q And why is it that GNETS are held to a  
24 different standard?

25 A Well, for -- to be distinguished, or even back



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1 then it was operational, you had to have 80 percent of  
2 your population with zero to one ODRs and -- office  
3 discipline referrals. And our students come in with  
4 discipline data already existing. So when we would run a  
5 report or I would have to report out, I may have a  
6 handful of students that already have five to six  
7 out-of-school suspensions that I'm held accountable for  
8 in order to implement PBIS and to have my -- you know,  
9 our end-of-year results.

10 So for me, my Tier I is always changing, and so  
11 that's why I asked that question.

12 Q Understood. Thank you. I appreciate the  
13 clarification.

14 Ms. Cole, are you familiar with Apex?

15 A A little bit.

16 Q Can you tell me, from your understanding, what  
17 it is?

18 A So they provide therapeutic type services to  
19 gen ed or even -- or all students in the gen ed setting.

20 Q How did you learn about Apex?

21 A Through sitting on the school transformation  
22 team for Bibb, because Bibb has Apex in a couple of  
23 schools. And I think it's separate funded. I think it's  
24 contracted work.

25 Q Do you know if you can access Apex counselors

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1 at your facility?

2 A We never have.

3 Q You never have. Do you know if you are able  
4 to?

5 A I'm sure we could.

6 Q Okay. Is this something that you've considered  
7 looking into?

8 A No.

9 Q Okay. And why is that?

10 A Because they provide the same services we do.

11 Q They provide the same services?

12 A Right. So we already have social workers that  
13 do a lot of that work.

14 Q Okay. So it's similar services?

15 A Correct.

16 Q Okay. Let's go back to the grant application  
17 for '22, fiscal year '22. And that was already  
18 introduced as Plaintiff's Exhibit 570. I know you may  
19 need a moment to look at it -- for it. And if we need  
20 to, we can pull it up online. I know paper is easier.

21 A Let's see. Which was it? 570?

22 Q Plaintiff's Exhibit 570, yep.

23 A Got it.

24 Q The fiscal year '22 GNETS grant application.  
25 Do you see it?

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1 A Yes.

2 Q Okay. Let's go to the eighth page. The last  
3 four Bates read 3474.

4 A Uh-huh.

5 Q And on the middle of the page it reads,  
6 "Service Delivery - Mental Health Collaboration."

7 Do you see it?

8 A Yes.

9 Q Okay. How many students are listed as having  
10 received counseling on this page?

11 A Zero.

12 Q Okay. And does that mean zero students  
13 received counseling at Elam Alexander Schools, whether  
14 it's a center or a site school-based location?

15 A I am -- I answered that like outside services,  
16 so this is --

17 Q Okay.

18 A This is one of those things that if they  
19 receive outside services, that's something I can't track.

20 Q Uh-huh.

21 A So that's why I put zero for all three of  
22 those. You'll see I think I put zero for all of that.

23 Q Uh-huh. So does that mean that in school,  
24 there wasn't a student receiving counseling services?

25 A No.

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1 Q Okay.

2 A That's not what that means.

3 Q Okay. Then tell me what it means.

4 A So to me that question is asking me what kind  
5 of outside services they're receiving.

6 Q Okay. So -- okay.

7 A Like if they have a -- a therapist that used to  
8 come in and check in with a kid, that's what that means.  
9 To me, that's what that means.

10 Q Okay.

11 A But I think in the notes I put, due to COVID,  
12 there were no outside visitors allowed in.

13 Q So this -- when you were marking zeroes, it was  
14 for outside services?

15 A Right.

16 Q Okay. And would you say that your students  
17 received counseling services within the school?

18 A Yes.

19 Q Okay. All students?

20 A Yes. As needed, yes.

21 Q As needed. Okay.

22 A Yes.

23 Q Have you seen a different number than zero in  
24 the past on this page?

25 A This is actually a new question. I don't think

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1 you will find this on all of our grants.

2 Q Okay.

3 A But yes, we used to have students have outside  
4 services come in all the time.

5 Q Okay. And when did that change?

6 A Well, twofold. Bibb changed their policy,  
7 where they didn't allow a lot of outside services to come  
8 into the school setting, because they didn't want to  
9 interrupt the educational environment. And then second  
10 was COVID, so we didn't allow any visitors to come in.

11 Q Okay. Was there any attempt to provide through  
12 virtual sessions; do you know?

13 A I would say that would have to be through their  
14 counseling services, so I can't recall any.

15 Q Okay. Not through Elam?

16 A Uh-huh.

17 Q Okay. Though, you have a social worker and  
18 therapists and service providers on staff?

19 A Correct.

20 Q Okay. And these are full-time staff members?

21 A Yes.

22 Q Okay. Given, you know, your number of students  
23 and, you know, a person is a person, are there students  
24 that have to wait a bit or have delays in receiving  
25 certain therapeutic services?

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1 A From us?

2 Q Uh-huh. From you.

3 A No.

4 Q Okay. Do you know of any wait lists for your  
5 students to receive certain services?

6 A Like through our social workers?

7 Q Uh-huh.

8 A Like if there is a crisis in the classroom --

9 Q Uh-huh.

10 A -- or something?

11 No, there is no -- no delay.

12 Q Okay. Do you have any wishes for additional  
13 therapeutic services and supports for your students?

14 A I always have a wish list. Yeah, I think it  
15 would be nice if outside providers could come in.

16 Q Uh-huh.

17 A I think that would be great. I think it builds  
18 community and support. I think it would be great if we  
19 had a BCBA. But we have -- we have a good number of  
20 social workers and social worker techs.

21 Q And then for outsiders coming in, that would be  
22 a change needed at Bibb County level?

23 A Yes.

24 Q Okay. From what you said earlier?

25 A I believe so, yeah.

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1 Q Okay. Is that something that you have explored  
2 with Bibb?

3 A I think we've had conversations about it  
4 through the IEP process.

5 Q Uh-huh.

6 A But not -- not often.

7 Q Earlier we spoke a little bit about a grant  
8 that GaDOE offers to receive funding for social worker  
9 services. Do you recall that?

10 A Yes.

11 Q Okay. And have you considered applying for  
12 such a grant?

13 A So that grant changed. So when that first  
14 rolled out, it was for those programs that didn't have  
15 social workers. And now there's a pot of funds. I think  
16 it's for three -- it's for three years. It started last  
17 year. And you can tap into that, and we can contract  
18 with people there. So I do have access to that now.

19 Q So you are a recipient of that GaDOE grant for  
20 social worker services?

21 A It's not just social worker. It's just  
22 therapeutic services.

23 Q Just therapeutic services?

24 A Right.

25 Q What's that grant called?

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1 A I don't remember.

2 Q But it's from GaDOE, and it's to receive  
3 therapeutic services?

4 A Correct.

5 Q And do you submit that to Vickie Cleveland and  
6 LaKesha Stevenson?

7 A Right. If I were to do contract work -- so I  
8 did contract work with a social worker last year, and so  
9 she would have a log that she would have to complete, and  
10 I would send it to them.

11 Q You would send your social workers' log to  
12 Vickie and LaKesha?

13 A Correct.

14 Q How often?

15 A Monthly.

16 Q Monthly.

17 Do they ask questions about it or if they  
18 didn't have it?

19 A If they didn't have it or if they had questions  
20 about services, they would. But I didn't -- I didn't  
21 have any questions.

22 Q Okay. And this is for three years?

23 A It's three years.

24 Q Okay. And you used it to fund a social worker?

25 A Correct.



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1 Q Is there enough money to fund other positions,  
2 too, or?

3 A No. Well, no. So now I think it's about -- I  
4 think I have about \$60,000, so I'm in the process of  
5 meeting with a company. They are called Team PBS, and so  
6 they do BCBA type work, and so we have a meeting  
7 scheduled so that I can contract with them for BCBA type  
8 work.

9 Q And this would be funded through this GaDOE  
10 grant?

11 A Correct.

12 Q And if you were to contract with this BCBA,  
13 would you then have to send a similar log to GaDOE?

14 A Yes.

15 Q Okay. Thank you.

16 Okay. Earlier you mentioned that the Burke  
17 Campus moved when the Ridge campus closed; is that  
18 correct?

19 A Yes.

20 Q Okay. And what -- about when was that? I  
21 apologize.

22 A You're fine. Probably 13 years ago.

23 Q Okay. And what was -- you said Burke Campus  
24 had been remodeled. What was it before?

25 A It was a -- Burke Elementary School.

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1 Q Burke Elementary?

2 A Uh-huh.

3 Q Okay. And that was a general education  
4 elementary school?

5 A Yes.

6 Q What is the nearest general education building  
7 to the Burke Campus?

8 A Oh, you're asking about directions again.  
9 Probably Ingram-Pye --

10 Q Okay.

11 A -- was an elementary school.

12 Q Ingram-Pye?

13 A Ingram-Pye, P-y-e.

14 Q P-y-e?

15 A P-y-e.

16 Q Okay.

17 A We've got Ballard-Hudson that's right down from  
18 us. That's a middle school. Of course, Southwest is  
19 really close to us as well.

20 Q Okay. And is this -- are they 10 minutes away,  
21 5 minutes away, 20?

22 A Oh, 10 and under.

23 Q Okay. Can you see a school from Burke Campus?

24 A No.

25 Q Okay. Is there any unused space at the Burke

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1 Campus?

2 A No.

3 Q Okay. Is the food prepared on-site?

4 A Yes.

5 Q Okay. In the cafeteria?

6 A Yes.

7 Q Do students generally eat in the cafeteria?

8 A Yes.

9 Q Have there been times where the students have  
10 to eat in the classroom?

11 A Yes.

12 Q When was that?

13 A COVID protocols.

14 Q Okay.

15 A We had -- then they were eating in the  
16 classroom. If -- I'm trying to think if there is  
17 anything else. Oh, like if we're having a program or  
18 something, because we use the stage, then we have to  
19 close that down. They have to eat in the classrooms.  
20 Things to that nature.

21 Q Okay. Do you have dedicated PE time for all  
22 students?

23 A I do.

24 Q Okay. And do you have a certified PE  
25 instructor?

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1 A So I have a PE teacher, but he's working on  
2 certification.

3 Q Okay. And he works with all grade levels?

4 A Yes.

5 Q And Milestones and GAA?

6 A Yes.

7 Q Okay. And do students attend gym with only  
8 their class or do students attend gym or physical  
9 education, excuse me, with multiple classes?

10 A It's typically just their class.

11 Q Okay. How about the playground? You have a  
12 playground?

13 A I do.

14 Q Yeah. Are students on the playground at the  
15 same time as other classes or is it individual?

16 A Sometimes they're together. It's -- it's the  
17 playground is more for K through 5.

18 Q Uh-huh.

19 A So you may have two classes going at the same  
20 time.

21 Q Okay.

22 A Or they may be by themselves.

23 Q Do you have a music room?

24 A I used to.

25 Q And that was when you had the music and dance

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1 instructor?

2 A Correct.

3 Q Okay. What is that room being used for now?

4 A That -- we transformed that room into Leslie's  
5 instructional coach room. So the next room over was like  
6 the chill space, you know, where we have some PBIS stuff  
7 and some -- so it has some music items in there.

8 Q Since this is no longer offered as a class, do  
9 students have any designated music time during the week?

10 A Maybe once a week, but that's on the teacher.  
11 So it may be a part of their schedule, but that's on the  
12 teacher to provide.

13 Q Okay. Is that something that you've  
14 communicated that teachers should provide?

15 A Yes.

16 Q Do you know if teachers are doing it?

17 A I would hope so.

18 Q What about an art room?

19 A We do not have an art room.

20 Q No art room.

21 Do students have the opportunity to take art  
22 classes at different grade levels?

23 A With their schools or with us?

24 Q With you at Burke Campus.

25 A So like --

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1 Q We are focused on Burke Campus right now.

2 A Okay. So my K through 5 have -- they may have  
3 a section of their day that they may use for music or art  
4 or movement. So they have art throughout the week.

5 Q But no designated art instructor?

6 A Correct.

7 Q Or art classroom?

8 A Correct.

9 Q Are there metal detectors at Burke Campus?

10 A Yes.

11 Q Okay. At all entrances?

12 A Two.

13 Q Two. Which entrances?

14 A The 100 hallway and the 200 hallway.

15 Q And what do the 100 and 200 hallways house?

16 A Students.

17 Q If you were to describe the hallways, the  
18 student population of 100 and 200?

19 A So those are the entrance for the buses.

20 Q Buses. Okay.

21 A So that's how my kids come in. So everybody  
22 that -- so from the 100 all the way to the 300 come in  
23 that way. 200 to 400 come in that way.

24 Q Okay. So students aren't coming in the front  
25 door?

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1 A Some do. We have carpool.

2 Q Okay. There is no metal detector on the front  
3 door?

4 A No, there is not.

5 Q Okay. Just for students coming off the bus?

6 A Correct.

7 Q Okay. Do students in elementary, middle, and  
8 high school take the bus together to Burke Campus?

9 A Depends on the county and how they operate  
10 their transportation.

11 Q Uh-huh.

12 A So I'm not sure. It depends on the county.

13 Q Do all grade levels at the Burke Campus run at  
14 the same time, as in they start and end the school day at  
15 the same time, or is there different times for the  
16 different grade levels?

17 A No, same time.

18 Q Same time. Okay.

19 Do you know of any school districts that do  
20 have multi-grade levels on the same bus, as in  
21 elementary, middle, and high schoolers on the same bus?

22 A I don't know offhand. I'm sure there are. I  
23 don't know offhand, though.

24 Q Okay. Have you heard any complaints about  
25 that?

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1 A Not recently, no. I don't know if ever,  
2 really.

3 Q Okay. Do you have a science lab --

4 A No.

5 Q -- at Burke? Okay.

6 And then a library?

7 A Yes.

8 Q And then are there other electives that, you  
9 know, besides gym and art potentially during the week?  
10 Is there any other electives that you offer?

11 A Well, we have the sensory garden that's out on  
12 the 300 hallway that students work in. We have the  
13 Bethesda Home Living Center that students access and work  
14 in. We provide CBI and CBVI, which is community-based  
15 instruction and community-based vocational instruction.  
16 I can't think of anything else.

17 Q When you mentioned CBI and CBIV (sic), are  
18 those for GAA students, Milestone students, or both?

19 A Those are for GAA students.

20 Q So those are electives for GAA students?

21 A Yes.

22 Q The Bethesda Home Living Center, is that for  
23 GAA students or Milestone students?

24 A Both. Both can access that.

25 Q What about the sensory garden?



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1 A Both can access that.

2 Q Okay. What about extracurricular activities  
3 for students at Burke?

4 A We don't have any extracurricular activities.

5 Q Okay. How many students participate in  
6 extracurricular activities at their zoned schools?

7 A I don't know that off the top of my head,  
8 but -- you are talking Burke Campus only right now?

9 Q Yes.

10 A Okay. So five or less.

11 Q Okay. And how many, again, students did you  
12 have at Burke?

13 A 120 something. 120 to 130.

14 Q So the five or less students, how are -- how  
15 did they have the opportunity to receive extracurricular  
16 activities?

17 A So when I think extracurricular, I'm thinking  
18 like sports as well.

19 Q I am, too.

20 A Okay, good.

21 So that comes through the IEP as well, the IEP  
22 process. So we may have a student that's interested in  
23 playing basketball or football, whatever it may be, and  
24 so they will provide transportation for them to go back.

25 Q With the five, were you only thinking of

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1 sports?

2 A Right then I was.

3 Q Okay. Are there any of your students that,  
4 let's say, participate in drama or student government at  
5 their zoned schools?

6 A Not from Burke Campus.

7 Q Okay. Not from Burke Campus.

8 At Burke Campus do you have any space that is  
9 designated for de-escalation?

10 A No.

11 Q And any seclusion rooms?

12 A No.

13 Q Do you have spaces that were previously used as  
14 seclusion rooms?

15 A No.

16 Q Earlier we spoke about both Milestone classes  
17 and GAA classes at Burke Campus, correct?

18 A Yes.

19 Q Is there a maximum number of students that you  
20 would allow in a Milestones class?

21 A Yes. 12.

22 Q 12. Okay. And then what about a GAA class?

23 A Same.

24 Q Okay. 12.

25 Do any of your classes this year have more than

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1 12 students?

2 A No.

3 Q Okay. Besides the bus, which we spoke about,  
4 at Burke Campus, do elementary age students interact with  
5 middle school students or high school students?

6 A Only if they -- they have separate eating  
7 times, like breakfast and lunch, so only if they pass in  
8 the hallway.

9 Q Okay. Would they be at the playground  
10 together?

11 A No.

12 Q At the elementary level, are the students in  
13 the same classroom with the same teacher for the whole  
14 day?

15 A Yes.

16 Q What about the middle school level?

17 A So the middle school, the sixth and seventh  
18 graders, they rotate between three teachers.

19 Q Okay.

20 A And then the two eighth grade teachers, they  
21 rotate based on content as well.

22 Q Okay. And then what about high school?

23 A They all rotate based on content. Oh, wait.

24 Q At Burke Center?

25 A Burke Center, no, they are self-contained.

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1 Q Does online instruction play a role at the  
2 Burke Campus Center for elementary students?

3 A What do you mean by "online instruction"?

4 Q Is there online instruction through a program  
5 versus having a teacher instruct at the front of the  
6 class?

7 A No.

8 Q No.

9 A We have supplemental, like i-Ready, yes.

10 Q But it's supplemental?

11 A Right.

12 Q Okay. What about at the middle school level at  
13 Burke Campus?

14 A No.

15 Q Supplemental?

16 A Yes.

17 Q Okay. What about the high school level at  
18 Burke Campus?

19 A At the Burke Campus, no. All from the teacher.

20 Q Okay. What type of supplemental online  
21 programs do you have?

22 A So we use i-Ready.

23 Q Uh-huh.

24 A We use STAR Reading and Math, STAR Assessment.  
25 We use the Unique Learning System. That's for GAA.

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1 News2you is GAA as well.

2 Q Is i-Ready provided by GaDOE?

3 A Yes.

4 Q Is STAR Reading provided by GaDOE?

5 A No.

6 Q Is STAR Math provided by GaDOE?

7 A No.

8 Q Do all students use supplemental i-Ready?

9 A Kindergarten through 8th.

10 Q At Burke Campus?

11 A Correct.

12 Q What percentage of the day are students using  
13 i-Ready?

14 A So they should not exceed more than 45 minutes  
15 in a week.

16 Q 45 minutes in a week?

17 A In a week.

18 Q How is that monitored?

19 A We run reports. So it's monitored through the  
20 platform, and then my instructional coach provides us  
21 with reports of where students are meeting, if they are  
22 at the 45 percent. We look at the usage and pass rate.

23 Q Okay. The 45 minutes or percent? You said  
24 minutes a moment ago, and then you just said percent?

25 A So I meant 45 minutes per week, and then there

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1 is a pass rate.

2 Q Oh.

3 A So there is two different reports they run.

4 Q Got it.

5 A Yes.

6 Q And they are both looking at for 45?

7 A Right.

8 Q Okay. Thank you.

9 A You're welcome.

10 Q And are those reports also shared with GaDOE?

11 A If they are requested. I can't recall them  
12 requesting much, but I think they have access to that.

13 Q They have access?

14 A Yeah.

15 Q Do you recall in the past receiving i-Ready  
16 reports from GaDOE?

17 A Yes. Many years ago when they first started  
18 with i-Ready, they monitored pretty closely.

19 Q Okay. And that's changed?

20 A Yes.

21 Q Do you know why that is?

22 A No.

23 Q Okay. Are there any students at the Burke  
24 Campus who have been screened for gifted services?

25 A Yes.

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1 Q Okay. Are they -- any receiving gifted  
2 services?

3 A No. We had one, but that was a few years ago.

4 Q And where is that student now?

5 A With us.

6 Q Oh, with you all?

7 A Uh-huh.

8 Q So they were screened but did not receive?

9 A No, he did receive, and then we also sent him  
10 out to a satellite class. He continued to receive, but  
11 then he came back. But I think at that time, I don't  
12 know what happened out there, but the services were  
13 dropped.

14 Q Okay.

15 A The gifted services.

16 Q Understood. Has he been rescreened?

17 A I'm not sure.

18 Q Okay. Is that something that your -- that  
19 Burke Campus and Elam Alexander could offer?

20 A So that's from the LEA, and we fall up under  
21 their testing calendar. So we have a testing  
22 coordinator, and so she does all of that work.

23 Q Okay. Thank you.

24 Is there a yearbook for the Burke Campus?

25 A No.

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1 Q Is there a yearbook for all of the Elam  
2 Alexander Academy?

3 A No.

4 Q Do students have their school photos taken?

5 A We have in the past, and I do believe we're  
6 doing it this year.

7 Q Okay. And would those photos go home to their  
8 families versus into a yearbook?

9 A Yes.

10 Q Okay. Do part-time students have their photos  
11 taken at both, you know, the -- their zoned school and  
12 Burke when you offered it?

13 A I don't remember.

14 Q Okay.

15 A I'm sure they had the opportunity.

16 Q A moment ago you mentioned that the GAA  
17 students at Burke Campus have some field trips through  
18 CBI, correct?

19 A Yes.

20 Q Do Milestone students have the ability to go on  
21 field trips at Burke Campus?

22 A Yes.

23 Q What type of field trips?

24 A Whatever the district offers. Like they go to  
25 The Grand Opera House or aquarium. Whatever the district



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1 is offering.

2 Q Okay. So these field trips are done in  
3 conjunction with the district?

4 A Correct.

5 Q Last school year how many field trips were  
6 offered for those at Burke Campus?

7 A So we just started back field trips this year.

8 Q Understood.

9 What is planned this year?

10 A I don't know for Bibb part, but because I just  
11 get the e-mails and look and send it on. I think they  
12 have them once every couple of months. Like we have a  
13 4th and 5th grade one coming up, and I think it's to The  
14 Grand Opera House.

15 But like CBI and CBVI, we offer weekly.

16 Q Okay. And those are for the GAA students?

17 A Correct.

18 Q Okay. How about school dances at Burke?

19 A We haven't done that in a couple of years.

20 Q Okay. And by "couple years," the last five  
21 years, three years?

22 A Yeah.

23 Q Okay. When was the last time you think you did  
24 it?

25 A PreCOVID.

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1 Q PreCOVID. Was that something you did annually?

2 A Yes.

3 Q Okay. Was it for all grade levels?

4 A Yes.

5 Q Okay. Is that something you're looking to  
6 implement again?

7 A I think the PBIS team, we're talking about  
8 doing something like that.

9 Q What about theater productions?

10 A No.

11 Q Okay. Any athletic games, like through sports  
12 teams at Burke?

13 A So that would be a PBIS event. We may have a  
14 basketball game or a flag football game or a soccer game.  
15 This all falls up under PBIS.

16 Q Okay. Understood.

17 Let's move to the Southwest Adolescent Campus.  
18 And that -- how long has that been used as a GNETS  
19 facility, that wing?

20 A So we moved from Northeast High School over to  
21 Southwest five -- five years ago, I want to say. Around  
22 five years ago.

23 Q Okay. What was that used for? What was there  
24 prior?

25 A I have no idea.

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1 Q Okay. And why did you move again from  
2 Northeast High School?

3 A So Northeast High School was under renovation,  
4 and where we were located was also under renovation, so  
5 they -- that's when we -- they renovated that hallway,  
6 that wing for us, and then we moved in over there.

7 Q Okay. And this is adjacent -- this adolescent  
8 campus is adjacent to the high school, correct? It's  
9 connected?

10 A Yes.

11 Q Okay. What is the maximum number of students  
12 you want in a classroom at Southwest Adolescent Campus?

13 A The same. It would be 12 --

14 Q 12?

15 A -- is the max.

16 Q Is that the same for all of your classrooms?

17 A That's how I feel about all of them, yes.

18 Q Okay. And are any over this at this point?

19 A No.

20 Q Okay. Is there any unused space that you have  
21 available to you at the Southwest Adolescent Center?

22 A We have that room for storage.

23 Q Okay. I understand there's a cafeteria at the  
24 high school part of Southwest High.

25 A Yes.

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1 Q Correct?

2 Do your students at the Southwest Adolescent  
3 Center go to the cafeteria at the same time as other high  
4 school students at the gen ed population at Southwest  
5 High?

6 A I believe so. I don't know what time they go.  
7 I don't know who's in there at what time.

8 Q Okay. So that's not something you're sure  
9 about?

10 A Correct.

11 Q Okay. Do students in the Southwest Adolescent  
12 Center go to gym at the same time as Southwest High gen  
13 ed students?

14 A No.

15 Q Do they access the gym at Southwest High?

16 A Not on a regular basis.

17 Q What are you -- can you elaborate?

18 A So that's not one of our classes. So they  
19 rotate for content, and they don't typically go to the  
20 gym.

21 Q Okay. What about, do they have music?

22 A No.

23 Q Art?

24 A No.

25 Q Okay. Are -- what type of elective-type

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1 classes would a student at Southwest High have available  
2 to them?

3 A So that would still be through whatever course  
4 credits they need and then through the IEP process. So  
5 it might be an algebra support class or a -- depends on  
6 what content they're needing for graduation.

7 Q Just to make sure I understand, it sounds like  
8 the students at Southwest Adolescent Center have access  
9 to content classes but not to what one would think of as  
10 elective, like an art, music, PE or a foreign language;  
11 would that be correct?

12 A Sure. Yes.

13 Q Okay. Their electives are content-based?

14 A Yes.

15 Q Okay. And they're based on need for  
16 graduation?

17 A Right. So you have a transcript, and you have  
18 to make sure that they are on track --

19 Q Okay.

20 A -- for graduation.

21 Q Understood.

22 Do -- are there metal detectors at the  
23 Southwest Adolescent Center?

24 A Yes.

25 Q At the entrances?

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1 A Yes.

2 Q Okay. Is there a science lab?

3 A No.

4 Q Okay. Is there a library for the Southwest  
5 Adolescent Center?

6 A Housed on our wing, no.

7 Q Can the students access the library within  
8 Southwest High?

9 A Yes.

10 Q Okay. Do they?

11 A Sometimes.

12 Q Okay. Is this a weekly thing or --

13 A I would have to ask Shondonette. I wouldn't  
14 think it's a weekly thing. I think it's as needed.

15 Q Okay. Then is there a science lab at Southwest  
16 High, not within the Adolescent Center?

17 A Is there a science lab at their school?

18 Q Uh-huh.

19 A I have no idea.

20 Q I'm asking -- I was just curious if the  
21 Southwest Adolescent students access the science lab.

22 A No.

23 Q Are there any spaces at Southwest Adolescent  
24 Center that are utilized for de-escalation?

25 A No.

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1 Q Anything that previously was a seclusion room?

2 A No.

3 Q Do students attending Southwest Adolescent  
4 Center ride a bus, the same bus as students attending  
5 Southwest High?

6 A No.

7 Q Okay. What about your satellite --  
8 satellite-based GNETS students at Southwest High? Would  
9 they ride the same bus as their gen ed peers at the high  
10 school or as their peers at the Southwest Adolescent  
11 Center?

12 A So that's a transportation question, but the  
13 students that are in satellite classes at Southwest  
14 aren't necessarily zoned for Southwest.

15 Q Uh-huh.

16 A So I can't say that they would be on the bus --  
17 the same bus as Southwest gen ed kids.

18 Q Okay.

19 A So that's a separate bus.

20 Q Understood.

21 A Different route.

22 Q Okay. The students at Southwest Adolescent  
23 Center, they are in high school and it's Milestones  
24 courses, correct?

25 A Yes.

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1 Q Are they with the same teacher for the whole  
2 school day?

3 A No.

4 Q Okay. How do they switch?

5 A They rotate based on content.

6 Q Okay. And how many teachers would they have a  
7 day?

8 A Six.

9 Q Okay. So all of their classes?

10 A Yes.

11 Q Okay. And what type of online instruction is  
12 used at Southwest Adolescent Center?

13 A For supplemental?

14 Q Is there any for primary?

15 A No, no. We use STAR. They started using STAR  
16 this year. We use Edgenuity from time to time, if  
17 necessary, like for a course that they may need for  
18 graduation. I think that's it.

19 Q Okay. And Edgenuity is a credit recovery  
20 program?

21 A Yes.

22 Q Okay. Do you track how many of your students  
23 are using Edgenuity?

24 A Shondonette does.

25 Q Shondonette does. Does she talk to you about



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1 that tracking?

2 A Not unless something specific is going on.

3 Q You don't see a chart that -- or table or data  
4 related to the amount of time students spend on Edgenuity  
5 a day?

6 A No.

7 Q Are there students at the Southwest Adolescent  
8 Center that have been screened for gifted services?

9 A I have no idea.

10 Q Okay. Is there a yearbook for that center?

11 A No.

12 Q Okay. And are you -- do you know if their  
13 pictures are used in the Southwest High School yearbook?

14 A Depends on if they were Southwest students or  
15 not. So not all of them are zoned for Southwest.

16 Q Okay. And that's only -- is that for the  
17 school -- satellite classrooms or is that for also those  
18 who are at the --

19 A If we --

20 Q -- Southwest Adolescent Center?

21 A If we had a student that was a Southwest  
22 student served at Adolescent, then they would be able to  
23 do that.

24 Q Has that happened recently?

25 A I'm not sure.

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1 Q Okay. How about field trips for the Southwest  
2 Adolescent Center students, or do those happen?

3 A Not frequently.

4 Q Okay. Is that something that happens more at  
5 the younger grade levels?

6 A I would say so.

7 Q Okay. How many in like the last five years,  
8 field trips?

9 A I couldn't name one.

10 Q Okay.

11 A Not for a whole school. I mean, we've had  
12 students that maybe go and take visits to Warm Spring or  
13 something like that, but not a whole program-type field  
14 trip.

15 Q What's Warm Spring?

16 A So that's like a facility type program up in  
17 North Georgia that works with kids with disabilities.

18 Q Okay. Thank you.

19 You've had students go there?

20 A Yes.

21 Q Is it something they go to for more than one  
22 day or?

23 A No, it's like a postsecondary type thing.

24 Q Okay. So it's after school, not a field trip?

25 A They would go to a field trip to see it and to

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1 see if their family was interested and things like that.

2 Q Understand. To preview it as a potential for  
3 later?

4 A Yes.

5 Q Thank you.

6 How about school dances at the Southwest  
7 Adolescent Center?

8 A We don't have any.

9 Q No. Okay.

10 Do you know if the Southwest Adolescent Center  
11 students are able to attend the dances at Southwest High,  
12 like homecoming and prom?

13 A If they are zoned for that school.

14 Q If they are zoned?

15 A Uh-huh.

16 Q Okay. How -- are -- how many students at  
17 Southwest Adolescent Center are zoned for Southwest High?

18 A I would have to look. I know of one or two  
19 because I know they participated in prom last year.

20 Q Uh-huh.

21 A The other students, say they were zoned for  
22 Westside, they would go to Westside prom.

23 Q Are those students going to Westside prom, for  
24 example?

25 A If they want to go to those proms, yes, they

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1 go.

2 Q Are you aware of students attending dances?

3 A Yes.

4 Q Okay.

5 A Yes.

6 Q Would that be the large majority of your  
7 student population or -- at the Southwest Adolescent  
8 Center, or is this, you know, less than 40 percent?

9 A It's really based on their interest level. So  
10 I would say less than 40 percent. It's whether or not  
11 they want to go.

12 Q Okay. How are they made aware of their school  
13 dances if their zoned school is, you know, 40 minutes  
14 away?

15 A So that's only for Bibb County.

16 Q Okay.

17 A So that's -- that's the ones I am referring to.  
18 I don't -- I don't know if they would attend Crawford  
19 County or any of the others.

20 Q Okay.

21 A So, but because the high school principals all  
22 talk, so we are all in a -- in a meeting once a -- a  
23 month anyway. So that information would be given to  
24 Ms. Horton, and Ms. Horton would let the kids know, the  
25 families know.

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1 Q Thank you.

2 Let's speak about L.H. Williams but last year.

3 (Court reporter clarification.)

4 Q BY MS. TUCKER: I understand that it's no  
5 longer in use this school year.

6 A Correct.

7 Q Correct?

8 Last school year, did any of your GNETS  
9 students have the opportunity to have segments of their  
10 day with their nondisabled peers at L.H. Williams?

11 A Yes.

12 Q Okay. How many?

13 A Depends on the student. They would start with  
14 one, then move to two --

15 Q Uh-huh.

16 A -- classes out. Some had up to three or four.

17 Q Okay. Is three or four the point where you  
18 then reassess?

19 A I start saying that we need to have  
20 conversations at one or two.

21 Q Okay.

22 A I think if we are at two and they're doing  
23 well, then we need to start moving that on.

24 Q And that's something that the schools look for?

25 A Yes.

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1 Q Do the students who receive GNETS services last  
2 year at L.H. Williams enter in the same entrance as their  
3 nondisabled peers?

4 A Yes.

5 Q Is there a metal detector at L.H. Williams  
6 that they -- the GNETS students went through?

7 A I'm not sure.

8 Q Okay. Did the students at L.H. Williams who --  
9 that were in the GNETS classroom, did they eat in the  
10 cafeteria at the same time as their nondisabled peers?

11 A Yes.

12 Q Did they play on the playground at the same  
13 time?

14 A I'm not sure.

15 Q Did they visit the library?

16 A Yes.

17 Q At the same time as their nondisabled peers?

18 A I'm not sure. I'm not sure about their  
19 schedule.

20 Q Okay. Did students at L.H. Williams last year,  
21 were they featured in the yearbook?

22 A I believe so. I'm not sure. It depends -- I  
23 think it still depends on if they were L.H. Williams  
24 students. I'm not sure.

25 Q Okay. So you're not sure, but you -- you're

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1 thinking that it's whether it's their zone school; is  
2 that correct?

3 A That's what I am thinking, but I'm not -- I'm  
4 not really sure.

5 Q Okay. I understand.

6 Let's -- let's talk about Miller Middle School.  
7 How many classrooms again are there this year at Miller  
8 Middle School?

9 A One.

10 Q One. And it was a Milestones classroom?

11 A Yes.

12 Q Okay. Are you familiar what hallway the Miller  
13 Middle School GNETS classroom is on?

14 A Yes.

15 Q And what else is on that hallway?

16 A I have no idea.

17 Q Okay. You know where it is, but you don't know  
18 what the other classrooms are?

19 A Correct.

20 Q Okay. Do your students at Miller Middle School  
21 have the opportunity to attend segments of the day with  
22 their nondisabled peers?

23 A Yes.

24 Q Do all students?

25 A I believe so. I have to look at their

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1 schedules -- no, not this year. I was thinking about  
2 last -- is it last year or this year?

3 Q I'm talking about this year.

4 A I'm not sure. I have to look at their  
5 schedules.

6 Q So are there students that could be in that  
7 classroom all day?

8 A Could be.

9 Q Okay. Is that more likely than not?

10 A No. Standard practice is really when they move  
11 out there, we at least start with one, like one  
12 connections class. If they do well, we move to two.

13 Q Uh-huh.

14 A But I -- I can't speak on it because I really  
15 don't have it in front of me to know what they -- what  
16 their schedules are.

17 Q So when you talk about standard practice, are  
18 you speaking to all satellite schools?

19 A Yes.

20 Q So is that an Elam Alexander Academy standard  
21 or a standard from -- for all of GNETS?

22 A That's an Elam Alexander Academy standard.

23 Q That's a Brooke Cole standard?

24 A It is a Brooke Cole standard.

25 Q Okay. I understand.



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1           So for students in the satellite program, at a  
2   minimum, they should have one segment out?

3           A    At a minimum, minimum, yes.

4           Q    Is that always the case, can you say?

5           A    I think there has been cases where they first  
6   came and we waited maybe three to four weeks, I want to  
7   say. Because I recall Steven talking to me about one  
8   student.

9           Q    Uh-huh.

10          A    But typically that should be what's happening.

11          Q    Are you -- is Elam Alexander tracking segments  
12   out?

13          A    So only through that class roster that you had,  
14   it's now on Teams, so it's constantly updated. I can log  
15   in and look and see how many classes they have out.

16          Q    Is that something that you look to?

17          A    I look at the class roster weekly.

18          Q    Are you looking at how many segments students  
19   have out?

20          A    For the satellite, yes.

21          Q    Okay.

22          A    Yes.

23          Q    And for what reason are you looking for this  
24   information?

25          A    I just want to make sure that we're doing what

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1 we're supposed to do.

2 Q Meaning?

3 A That they have those classes out. So this year  
4 is a little bit different than it was last year, because  
5 we have more sixth graders. And so that's a -- that's a  
6 transition from elementary to middle in itself, and then  
7 so we want them to transition slowly back out to a class.

8 Q And this data you're looking at is not just for  
9 Miller Middle School; it's for all of your site  
10 locations?

11 A Correct.

12 Q And you are looking for the same thing at every  
13 site for students to have the classes -- have the  
14 opportunity for classes out?

15 A Yes.

16 Q Okay. Just a few more, and then we can take a  
17 break. Unless -- are you okay right now?

18 A I'm fine.

19 Q Okay. You're comfortable?

20 A I'm hot, but I'm fine.

21 Q It is a little warm.

22 A It is a little sticky and humid in here.

23 Q Are there students at Miller Middle School that  
24 are receiving gifted services?

25 A I'm not sure.

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1 Q Okay. How about at any of your satellite  
2 locations?

3 A I don't think so.

4 Q Okay.

5 A But I'm not sure. I don't think so, though.

6 Q So earlier we spoke of -- when I asked about  
7 gifted services, you recalled one student in particular.  
8 Is that the only student you can think of?

9 A That's the only one I can think of.

10 Q Okay. And is that during your time as director  
11 or during your 18 -- 19 years at Elam?

12 A That was during my time as director.

13 Q Okay. Do you recall any from your -- from the  
14 past, like your whole Elam Alexander?

15 A I can't recall any, no.

16 Q Okay. The students at Southwest High in the  
17 GNETS classrooms, not in the Southwest Adolescent  
18 Center --

19 A Yes.

20 Q -- do they participate in extracurricular  
21 activities?

22 A Some do, if they want to.

23 Q If you were to ballpark to determine how many?

24 A So in the Milestones class, like Nikki's class,  
25 we have some students that are in band or ROTC. We have

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1 some -- we're only talking about Southwest right now,  
2 though?

3 Q Correct.

4 A So yeah, band and ROTC. I think we have one in  
5 art. I think they talked about that yesterday.

6 Q And art is a class, not an extracurricular  
7 activity; is that correct?

8 A I think so, yeah.

9 Q So I'm wondering about, again, like a sports  
10 team or student government or drama club.

11 A We may have one or two that maybe participate  
12 in sports. I think we have one that plays football.

13 Q Okay.

14 A Uh-huh.

15 Q One or two out of the two classes?

16 A Correct.

17 Q Okay. Are the student -- are your students at  
18 satellite classes made aware of their opportunities to  
19 participate in extracurricular activities?

20 A Yes.

21 Q If it is not your zoned school, would you be  
22 allowed to participate or do you need to participate at  
23 your zoned school?

24 A It -- they participate in those schools. When  
25 I'm thinking back on Miller, I've had students that were

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1 zoned for other schools, but they still played football  
2 for those teams, for those school teams.

3 Q Okay.

4 A So like if I -- if they were at a Miller site  
5 but they were zoned for Ballard, they still played sports  
6 for Miller.

7 Q Okay. And that has happened in the past?

8 A Yes.

9 Q Okay. Is that happening right now?

10 A I believe so.

11 Q For one student, two students?

12 A Like one or two students, depending on the  
13 sport.

14 Q Okay.

15 A Uh-huh.

16 MS. TUCKER: I am handing the court reporter  
17 what is going to be introduced as Plaintiff's Exhibit  
18 576.

19 (Plaintiff's Exhibit 576 was marked for  
20 identification.)

21 Q BY MS. TUCKER: The Bates number on the bottom  
22 of this document reads Elam-10-01-21-Supplement-3414.  
23 This is a table that represents Elam Alexander Academy's  
24 school-based GNETS locations outside of Bibb County,  
25 correct?

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1 A Yes.

2 Q Ms. Cole, do you recognize this document?

3 A Yes.

4 Q Did you create it?

5 A No.

6 Q Who created it?

7 A I believe this was Dixie for the first round of  
8 information you guys were requesting, maybe.

9 Q Okay.

10 A Yeah.

11 Q So this was created for the Department of  
12 Justice?

13 A I believe so.

14 Q Okay. So you see at the top, it's -- it  
15 identifies Crawford County Middle School, Crawford County  
16 High, Turner Woods Elementary, and Peach County High, and  
17 it's looking at whether there is metal detectors,  
18 cafeteria, gym, library, computer lab, science lab,  
19 playground, specials or electives, and extracurricular  
20 activities.

21 Was this data that you did not collect prior to  
22 the United States Department of Justice requests?

23 A Correct. And I can't remember if it was you  
24 guys or Department of Education. Someone requested this  
25 information.

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1 Q Okay.

2 A And I provided it.

3 Q Okay. So by "Department of Education," you are  
4 referring to the Georgia Department of Education?

5 A Yes.

6 Q Okay. Since you've now created this table, or  
7 Dixie created this table, is this data that you're  
8 looking to collect?

9 A No.

10 Q Okay. And of these schools, Turner Woods is no  
11 longer used, correct?

12 A Correct.

13 Q And I would have to go back. Is Peach County  
14 High?

15 A Peach County is, but Crawford County Middle or  
16 High is not.

17 Q Okay. So only one of these is current?

18 A Correct.

19 Q Okay. For these four locations, do you know  
20 where the classrooms were at at the school?

21 A When they were there, yes.

22 Q Do you know what else was on those hallways?

23 A No, ma'am.

24 Q Okay. Is that something that you've looked at  
25 when you go to visit a school?

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1 A Not really.

2 Q Okay.

3 MS. TUCKER: Okay. Why don't we take a break  
4 if that works for folks.

5 MS. SOLOMON: I'm going to see if they can put  
6 the air on. I apologize.

7 MS. TUCKER: Okay. Thank you.

8 THE VIDEOGRAPHER: The time is 3:50 p.m., and  
9 we are off the record.

10 (The deposition was at recess from 3:50 p.m. to  
11 4:18 p.m.)

12 THE VIDEOGRAPHER: The time is 4:18 p.m., and  
13 we are on the record.

14 Q BY MS. TUCKER: Welcome back, Ms. Cole.

15 A Thank you.

16 Q Thank you.

17 Earlier you mentioned that there were no  
18 seclusion rooms at the Burke Campus or the Southwest  
19 Adolescent Center, correct?

20 A Correct?

21 Q Have there ever been?

22 A No.

23 Q Have there been seclusion rooms used at any  
24 Elam Alexander site with -- during your time?

25 A Sure, when I first began.



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1 Q Okay. And when did that end?

2 A I think we talked about that. I think that was  
3 the year I was a teacher with special duties.

4 Q Okay.

5 A That was probably my fifth or sixth year  
6 working.

7 Q Okay.

8 A So early on in -- in my years.

9 Q And was that at every site?

10 A So we had the main center at Ridge Avenue.  
11 They had them there. I don't think they had them  
12 anywhere else.

13 Q Okay. So just at the Center at Ridge Avenue,  
14 which is -- that program is now at the Burke Campus?

15 A Correct.

16 Q Okay. And then these changed from the  
17 restriction rooms. You -- I believe you said earlier  
18 that was prior to the State requiring it?

19 A Yes.

20 Q Okay. And then what about other like time-out  
21 or cool-down rooms?

22 A Now --

23 Q Uh-huh.

24 A -- present?

25 We don't have time-out rooms or cool-down

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1 rooms.

2 Q What about in between the seclusion rooms  
3 ending and like in that -- between then and now?

4 A So the process of closing those rooms --

5 Q Uh-huh.

6 A -- so initially before the State even did, we  
7 shut that kind of down. Like there were doors and  
8 everything, so you would --

9 Q Right.

10 A -- take the doors -- they took the doors down  
11 and kind of made it like the beanbag and things like  
12 that. But then that just went away, too. Like that's --

13 Q Okay.

14 A It wasn't necessary.

15 Q Okay. So it's been several years?

16 A Oh, yes.

17 Q Okay. In what circumstances does Elam  
18 Alexander Academy use restraints on students?

19 A When students are about to harm themselves or  
20 others.

21 Q And are there any restrictions on the use of  
22 restraints at Elam Alexander Academy?

23 A For staff?

24 Q Yes.

25 A So if they have something that prohibits them

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1 from being able to even go through the trainings, like  
2 they have a bad knee or whatever medical documentation  
3 they have that keeps them from even going through the  
4 training.

5 Q Are there any staff that are not trained to  
6 restrain students?

7 A For the physical portion, yes.

8 Q Yes. You say the physical portion, what are  
9 you -- what other portions are you referring to?

10 A So the first half of that training is verbal  
11 de-escalation.

12 Q Okay. So it's verbal and then physical?

13 A Correct.

14 Q Okay. But all of your staff is trained on  
15 verbal?

16 A Correct.

17 Q Okay. And what percentage of your staff is  
18 trained on physical?

19 A The majority. I would say that I have seven to  
20 ten staff members that aren't physically able to do that.

21 Q Okay. And what training program do you use?

22 A MindSet curriculum.

23 Q MindSet, okay.

24 Are there any restrictions on the use of  
25 restraints for students as for different student

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1 populations or different GNETS sites locations?

2 A No, we use the same.

3 Q The same?

4 A The same training.

5 Q Okay. And then the MindSet curriculum, how  
6 often are -- are folks trained?

7 A Yearly.

8 Q Yearly. Is it a certification that you get  
9 each year?

10 A Yes.

11 Q When do you all complete that?

12 A It's throughout the year, so we have a MindSet  
13 training at the beginning of the school year. We have  
14 research, like recertification throughout the year. Then  
15 if we have a new hire or if we have staff that's, you  
16 know, new to us, then we have a group that we would send.  
17 We would train that way as well. So it's throughout.

18 Q Okay. Earlier you said it was the large -- I  
19 would say like the very large percentage of your staff is  
20 trained in MindSet except for the seven to ten  
21 individuals; is that correct?

22 A Yes.

23 Q And this is all staff?

24 A Yes.

25 Q Okay.

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1           A    With the exception of like custodians. So my  
2           custodians aren't trained. Some of my secretaries are  
3           not trained.

4           Q    Okay. Would all teachers be trained?

5           A    Yes.

6           Q    Would all paraprofessionals be changed --

7           A    Yes.

8           Q    -- trained?

9                    Would all social workers be trained?

10          A    Yes.

11          Q    Okay. And what about all your coordinators?

12          A    Yes.

13          Q    So it would be the custodians and certain  
14          secretaries?

15          A    Correct.

16          Q    Okay. And other administrative type?

17          A    Right, if they are not facing students.

18          Q    Okay. When did Elam Alexander Academy start  
19          using the MindSet curriculum?

20          A    So it -- it changed names. When I first began,  
21          I believe it was called PMAB or CALM. So it's changed  
22          names. It was either CALM and then PMAB, and -- but for  
23          19 years we've had some program, and CALM/PMAB, and I  
24          can't -- I think it was -- I can't remember the name of  
25          it.

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1 But at any rate, it's always been the same  
2 person. It was -- Steve McMahon is over it now, but it  
3 was Marshall Siler, and so we trained under him 19 years  
4 ago.

5 Q Okay. And how did you all find this  
6 curriculum? Was it recommended by the County or GaDOE  
7 or --

8 A I am not sure.

9 Q Okay. Do the other regional GNETS programs  
10 also use MindSet?

11 A Yes.

12 Q Is it paid for by GaDOE?

13 A No, that -- I pay for that out of my grant.

14 Q You pay for that out of your State grant?

15 A Correct.

16 Q Okay.

17 A Or Federal. One of the pots.

18 Q Okay.

19 A Yeah.

20 Q You pay for it, but you are not sure of the  
21 pot?

22 A Correct.

23 Q Okay. Have you always trained the large  
24 percentage or population of your staff on MindSet?

25 A Yes.

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1 Q Okay. Always student facing?

2 A Yes.

3 Q What does this training entail? What does it  
4 look like? Is it a day, an hour, a week?

5 A So the training, it could be one day to two  
6 days. If it's train the trainer, it could be three to  
7 five days. If it's an initial training and it's a small  
8 group of people, we can do it in a day. If it's a large  
9 group of people, we do it in two days. And then the  
10 recertification takes an entire day usually.

11 Q Does someone external always come in to train?

12 A No. So we have trainers on hand that have gone  
13 through the actual training with Steve.

14 Q Okay.

15 A Right.

16 Q And that would be the train the trainer  
17 training?

18 A Correct.

19 Q Is the staff trained in any other crisis  
20 management protocols in addition to MindSet?

21 A I wouldn't say protocols, but we utilize Life  
22 Space Crisis Intervention, but I don't -- I wouldn't call  
23 that a protocol.

24 Q Okay. What is Life Space Crisis Intervention?

25 A It's also how you de-escalate kids, talk to

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1 them about what's going on. You identify the trigger,  
2 and then you come up with a plan of how we're gonna move  
3 past that and reintegrate into your classroom setting.

4 Q When would you employ Life Space Crisis  
5 Intervention over MindSet?

6 A MindSet's more of a Tier I, so the verbal  
7 component. Let me be specific about that. So the verbal  
8 component is like just talking to a kid in crisis, kind  
9 of like a quick turnaround, maybe 10 or 15 minutes.

10 Life Space Crisis Intervention is a little bit  
11 longer. It's -- it's more in depth. It may be something  
12 that they have brought into the school setting. It's  
13 like a red flag. That's what they call it in Life Space  
14 Crisis Intervention. So it may be something that  
15 happened at home and they are carrying it with them, so  
16 that takes a little bit longer.

17 Q Okay. Understood. Thank you.

18 And who provides the Life Space Crisis  
19 Intervention training?

20 A We go through that company. So --

21 Q Okay.

22 A -- it's like there's -- you can register  
23 online.

24 Q Understood.

25 Is Life Space Crisis Intervention utilized by



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1 other regional GNETS programs?

2 A Yes.

3 Q All?

4 A I wouldn't -- I don't know about that.

5 Q Okay. Was -- has it been mentioned at GNETS  
6 director meetings?

7 A Yes.

8 Q Is that how you were made aware?

9 A Yes.

10 Q Does GaDOE provide funding for that training?

11 A I don't believe so.

12 Q Okay. How does Elam Alexander Academy track  
13 the use of restraints?

14 A Oh, so I have a monthly restraint form that  
15 every coordinator has to submit to me at the end of every  
16 month. That's separate from my weekly. So I have a  
17 weekly meeting with each leadership, like each  
18 coordinator, and they have to provide me with certain  
19 data, and the number of physical restraints is one.

20 Q Okay. So there's a monthly form focused on  
21 restraints?

22 A Correct.

23 Q And there's a weekly form that's focused on  
24 different data points, including restraints?

25 A Correct.

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1 Q So this is something -- information that you  
2 look at often?

3 A Correct.

4 Q Who fills out the monthly form again?

5 A The program coordinators.

6 Q Okay. And who fills out the weekly form?

7 A So that is a conversation. So that's when we  
8 have our leadership meeting with the coordinator, and  
9 there is a certain form, but -- so it's all online, or if  
10 we are face to face, but Dixie, who is my secretary, is  
11 taking note the entire time. So we'll -- we'll go  
12 through the list of questions.

13 Q Okay. What are the questions?

14 A Do we have any new students being placed? Are  
15 we looking at any students exiting like an LRE meeting?  
16 How many number of suspensions have you issued this week?  
17 Are there any physical restraints that have occurred this  
18 week? Any issues that have come out of PLC meetings?  
19 Any additional staffing needs? Attention -- attendance  
20 data, student, and staff.

21 Q Okay. And then what type of follow-up  
22 questions would you have related to restraint data?

23 A So I'm looking at an increase or decrease. Are  
24 we decreasing the use of physical restraint or  
25 increasing?

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1 Q And are you looking at it at the student level  
2 or the site level or the programmatic level?

3 A So for each leadership meeting, the weekly  
4 ones, I'm looking at student level for that program. So  
5 if I'm meeting with Angel, it's about Burke Milestones.  
6 If I'm meeting with Leah, it's about Burke GAA. If I'm  
7 meeting with Steven, it's about satellite.

8 Q But are you looking -- let's say, you know,  
9 this -- Michelle, the student, was restrained twice last  
10 week. Are you looking at that student data the next week  
11 to see restraints?

12 A Not in that meeting.

13 Q Okay. What meeting would that be?

14 A So that happens in our Tier II meetings.

15 Q Okay.

16 A And we meet monthly on that.

17 Q Uh-huh.

18 A So we have a Tier I meeting every month, and  
19 then we have a Tier II meeting. Tier I is kind of  
20 program-wide data, and then we look at number of  
21 suspensions, restraints. And then if I have a student  
22 that's had three to five suspensions or say Michelle has  
23 had three restraints, that's when we start looking at  
24 that as a team.

25 Q At the Tier II meetings?

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1 A Uh-huh.

2 Q Okay. Looking back to the Tier I meetings,  
3 that's where you would look at the restraint data in a  
4 more broad sense?

5 A Correct.

6 Q Have you seen any trends with restraint data?

7 A It's actually decreased.

8 Q It's decreased?

9 A Uh-huh.

10 Q Why do you think that is?

11 A Well, I would like to think it's because we are  
12 doing a good job. We do a lot of training, but  
13 throughout the years, it's decreased. So I would -- I'm  
14 going to say it's because we are doing a great job.

15 Q And then at the Tier II meetings when it's  
16 discussed, what type of follow-up happens after that?

17 A So that's when we decide if we need to move and  
18 schedule a treatment team meeting for a student, if we  
19 need to put some more interventions in place. Do we need  
20 to get a social worker involved, see if there is any  
21 issues going on that -- that we are not aware of.  
22 Something to -- to cut back on that.

23 Q When you earlier said that your restraint  
24 numbers are -- are decreasing, is that for Elam Alexander  
25 Academy as a whole?

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1 A Sure. But the majority of restraints that take  
2 place are at the Burke Campus.

3 Q So what about the Southwest Adolescent Center?

4 A Very few.

5 Q Okay.

6 A Maybe one a year. That's kind of always how  
7 it's been.

8 Q And what about the satellite classrooms?

9 A Rarely.

10 Q Would you say one a year or less?

11 A So for elementary last year at L.H., we had a  
12 student that had probably three to five, and that was  
13 kind of an anomaly. That was kind of like, okay, let's  
14 talk about this, because that's not the right setting for  
15 a student like that, and we needed to know what was going  
16 on.

17 So but at the middle school and high school,  
18 no, we don't have a lot of physical restraint. I would  
19 say none.

20 Q Okay. And then a moment ago you said that the  
21 large proportion of restraints are at Burke Campus?

22 A Correct.

23 Q Have you looked at that and compared Milestones  
24 students and GAA students?

25 A I do look at that.

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1 Q And what does that look like?

2 A Sometimes it teeters. Sometimes we have more  
3 Milestones, but when you really pull the data, it's  
4 really student specific. So I might have a Milestone  
5 student like most recently had a change in medication and  
6 had a lot more physical restraints, and so that upped it  
7 for Milestones, but it really wasn't an overall  
8 Milestones; it was student specific.

9 The same for GAA. We have some students that  
10 may -- the medicine is constantly being played with, and  
11 so they have more restraints, so it appears like GAA has  
12 more restraints when it's really more student specific.

13 Q Okay. So the counts are by the number of  
14 restraints not by the number of students, so is that  
15 correct?

16 A Correct.

17 Q Okay. So if there is potentially like 40  
18 restraints, let's just say 25 of those could be  
19 potentially one student?

20 A It could be. So if I have a high number of  
21 restraints, I'm gonna -- I'm gonna ask for additional  
22 data and see who are the students that are having  
23 restraints.

24 Q Okay. What would a high number of restraints  
25 be for Burke Campus for a year?

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1 A A month?

2 Q Sure, for a month.

3 A We have had anywhere between 30 to 80.

4 Q Okay.

5 A Uh-huh.

6 Q What's the lowest you have seen?

7 A Probably 15 or so.

8 Q Okay.

9 A Uh-huh.

10 Q Are there restraint forms that are to be  
11 completed every time a student is restrained?

12 A Yes.

13 Q And what do those forms look like?

14 A So it's a -- the form that -- it came from the  
15 MindSet curriculum, and Bibb County has adopted it, but  
16 it's the -- the name of the student, the time, where it  
17 occurred, what happened before, what happened during,  
18 what happened after. If there was any injury, did they  
19 see the nurse. An administrator has to sign off on it,  
20 the participate -- whoever was actually doing the  
21 physical restraint. And then at the bottom, it's when  
22 you document that they were sent home or the parent was  
23 notified.

24 Q Okay. Do you monitor these forms for  
25 completeness?

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1 A So that's part of the monthly form that the  
2 coordinator submits. So I want to know, was there  
3 anything that was off, if there was a restraint form that  
4 wasn't completed correctly. If -- that kind of thing.  
5 If it's not completed correctly, I need to know. And  
6 then if it becomes a reoccurring issue, then I need to  
7 address it.

8 Q Have you seen that happen frequently?

9 A Not frequently.

10 Q Okay. And have you had -- do you see  
11 challenges during those monthly meetings with parents  
12 being notified?

13 A No.

14 Q Okay. Do parents reach out and ask about it  
15 after a restraint, or have parents reached out?

16 A Sure, if there is concerns, but we -- we tell  
17 them. We -- we call them and let them know that it's  
18 occurred, and then we send the form home.

19 Q Okay. So is there always a call that  
20 accompanies the form being sent home?

21 A Correct, unless there's an agreement. So like  
22 sometimes the parents are like, don't call me every time  
23 there is a physical restraint. Or say they -- or this is  
24 a common thing with their child and, like, don't call me;  
25 just send the form home or just have the teacher e-mail



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1 me, whatever is the agreed upon communication.

2 Q Okay. How often do parents question the use of  
3 restraints?

4 A Not very often.

5 Q Okay. Would it be a problem if one of the  
6 restraint forms wasn't completed fully?

7 A For me?

8 Q Uh-huh.

9 A Yes.

10 Q And why is that?

11 A Because you need to do your due diligence and  
12 put down on paper what took place.

13 Q Would it be a problem with any other entity?

14 A What does that mean?

15 Q Does this go to Bibb County? Does this go to  
16 GaDOE? Does this --

17 A No, no. We don't report to -- we don't report  
18 that to them. We do enter physical restraints into  
19 Infinite Campus, though.

20 Q And what's Infinite Campus?

21 A So that's our management system. That's where  
22 you take attendance, grades, any parent contact,  
23 behavior, that's where all that is, and so all behavior  
24 data like physical restraints entered. Out of school  
25 suspensions are entered.

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1 Q Okay.

2 A So they would have access that way.

3 Q Understood.

4 Who is -- well, actually, who is "they"?

5 A The LEAs.

6 Q LEAs?

7 A Uh-huh.

8 Q Earlier you said that, you know, minimum  
9 restraints at Burke Campus in a month could be 15 and  
10 like the maximum would be 80, correct?

11 A Sometimes. I can think back on the past, it  
12 may be more.

13 Q Okay. And I know that is based on the number  
14 of restraints versus number of students?

15 A Correct.

16 Q If you were to give a percentage of how many  
17 students are restrained on a monthly basis, what would it  
18 be at Burke Campus?

19 A That would be lower. Maybe 30 percent, maybe.

20 Q Okay.

21 A I'm guessing, though.

22 Q I understand. Thank you.

23 Are -- is your staff trained on completing the  
24 restraint forms?

25 A Yes. We do that during the actual MindSet

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1 training.

2 Q Okay. Is that a big portion of the MindSet  
3 training, or like is that like a segment of it?

4 A It's towards the end.

5 Q Okay. How long should a restraint last?

6 A No more than 15 minutes.

7 Q No more than 15 minutes?

8 A Uh-huh.

9 Q On the restraint form, does it say how long the  
10 restraint lasts?

11 A It does. It talks about duration, time it  
12 started, time it ends.

13 Q Okay. So after 15 minutes it's too long for a  
14 restraint?

15 A The recommendation is that you release.

16 Q Release. Have you seen restraints in your  
17 program that have lasted longer than 15 minutes?

18 A Not -- well, yes, but we typically release and  
19 then step back, hope for the best, hope that the talking  
20 has worked, and sometimes we have to reengage.

21 Q Okay. Is that noted on the form, as well, if  
22 there is reengagement?

23 A Yes.

24 Q Okay. How -- what is the expected time in  
25 between restraint and then a reengaged restraint?

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1 A Depends on the student. I wouldn't say there  
2 is an expected time.

3 Q Okay.

4 A Because if they are not harming themselves or  
5 harming another person, then there is no reason to. So I  
6 wouldn't say an expected time.

7 Q Okay.

8 A It really is their behavior that would drive  
9 that.

10 Q Okay. So a moment ago you said that a  
11 restraint shouldn't last more than 15 minutes?

12 A Correct.

13 Q If you see a restraint lasting longer in the --  
14 when would you see the minutes of the restraint? In  
15 what -- in what meeting, your Tier I meetings, your Tier  
16 II meetings?

17 A So that's not something I would look at.

18 Q Oh, okay.

19 A Right.

20 Q How would you be made aware?

21 A Usually a coordinator would come and tell me.  
22 So I have -- like Leah Watson is the coordinator of GAA.  
23 She's a MindSet trainer. So is Angel Helms. So is  
24 Steven Grant. So we have trainers in the building, so if  
25 they see something like that and it's, you know, coming

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1 up to the 15-minute mark, they are going to let people  
2 know, and we get more help. We get social workers. We  
3 get more people there.

4 Q Okay. So, for example, if Mr. Grant saw a  
5 restraint lasting more than 15 minutes, he would seek  
6 other folks, but would he ultimately tell you?

7 A Yes.

8 Q Okay. But it's not part of a regular data  
9 collection that you do?

10 A No.

11 Q Okay. Would this be identified anywhere else  
12 in a student record, like in any sort of behavioral  
13 incident report? Or where would it -- where would they  
14 find that?

15 A The duration, I wouldn't think so.

16 Q Okay. Are the restraint forms kept and  
17 maintained for each student?

18 A Yes.

19 Q And are they maintained for as long as they are  
20 with you, or what is -- how does that work?

21 A So I believe we keep all of our records for  
22 like seven years.

23 Q Seven years?

24 A Yes.

25 Q Okay. Thank you.

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1 A Uh-huh.

2 MS. TUCKER: I'd like the court reporter to  
3 mark this document as Plaintiff's Exhibit 577.

4 (Plaintiff's Exhibit 577 was marked for  
5 identification.)

6 Q BY MS. TUCKER: This is the 2020 -- the fiscal  
7 year 2020 grant application for Elam Alexander Academy.  
8 The Bates number on the bottom of the first page of this  
9 document reads Elam-3-18-22-Supplement-3415, correct?

10 A Yes.

11 Q Is -- do you recognize this document?

12 A Yes.

13 Q Okay. And then if this is the Elam Alexander  
14 Academy's grant application for fiscal year 2020, it  
15 would represent information from the 2019 to '20 school  
16 year, correct?

17 A Correct.

18 Q Okay. Let's look at page 17 which ends in the  
19 Bates four digits of 3431. Let me know when you have had  
20 a moment -- turn to it and have a moment to look.

21 A Yes.

22 Q Okay. How many students are documented as  
23 being restrained at Elam Alexander Academy during this  
24 reporting period?

25 A It says 126.

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1 Q Uh-huh. Do you recall how many students were  
2 at Elam Alexander Academy in fiscal year '20?

3 A Yeah. I know what -- yes. No, I don't recall  
4 how many.

5 Q Okay.

6 A Say that one more time. I'm sorry.

7 Q Oh, I guess we can -- just, actually, let's go  
8 to the next one. It says --

9 A Okay.

10 Q -- 39 percent of students are restrained; is  
11 that correct?

12 A Correct.

13 Q Okay. You agree that it's -- that's the  
14 number.

15 And so this number of students, the 126, this  
16 does not indicate whether a student was restrained  
17 multiple times, correct?

18 A Correct.

19 Q Okay. And is that data captured through the  
20 GNETS application?

21 A Currently?

22 Q Yes.

23 A I don't think so.

24 Q Okay. Has it ever been?

25 A I don't think so.

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1 Q Okay. Is this data still included?

2 A No, that's what -- I don't think it is anymore.

3 Q Oh, even these numbers aren't included?

4 A Correct. I don't think so. I will have to go  
5 back and look.

6 Q Okay.

7 A Maybe. I'm not sure.

8 Q Okay. Well, I guess, when would you be  
9 completing the grant application for this school year?

10 A In May.

11 Q In May?

12 A Yeah. I usually start in April.

13 Q Understand.

14 And when again did you say a student would --  
15 when a restraint would be engaged?

16 A If harm to self or others or imminent danger.

17 Q Okay. Thank you.

18 So let's go back to the exhibit that I  
19 introduced earlier, the fiscal year 2022 grant  
20 application. I believe it was Plaintiff's Exhibit 570.  
21 Let me know when you find it in your pile.

22 A Uh-huh. Hold on just a second.

23 Q It starts at the bottom of 3467.

24 A Yeah, I've got it.

25 Q Okay. Great. Let's turn to page 16, which



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1 ends in 3483. Let me know when you are there.

2 A Uh-huh.

3 Q Okay. And then what percentage of students  
4 were restrained during this reporting period?

5 A Eleven.

6 Q And that's down from the 39 percent during the  
7 fiscal year 2020 grant report, correct?

8 A Correct.

9 Q Do you recall what it was for fiscal year 2021?

10 A I don't remember.

11 Q Do you think it fell in the middle?

12 A I'm curious what time of this was COVID and we  
13 weren't facing kids.

14 Q So this is for fiscal year 2022. So it was  
15 school year '21 to '22.

16 A Which was last year, correct?

17 Q Correct.

18 A Okay.

19 Q Were you back in school?

20 A Off and on, and then we started with like half  
21 the population when they started phasing kids back in.

22 Q Okay. Do you know what percentage you are at  
23 right now?

24 A No.

25 Q Okay. And then during this -- in the fiscal

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1 year '22 grant application, it says that 100 percent of  
2 students were successfully de-escalated; is that correct?

3 A Correct.

4 Q Is it correct to say that every student who was  
5 restrained at one point during the reporting period must  
6 have also been successfully de-escalated?

7 A I would say -- when I read that, I'm not even  
8 just thinking about physical. I'm thinking about verbal  
9 as well.

10 Q Okay.

11 A So I don't read that as just physical.

12 Q Okay.

13 A I think about verbal.

14 Q And this is you completing it?

15 A Correct.

16 Q Okay. Are you provided training on what is  
17 meant or are you -- this is just your understanding from  
18 how you've completed it for --

19 A This is --

20 Q -- many years?

21 A This is just my understanding.

22 Q Okay. And have you received questions about  
23 your responses?

24 A No.

25 Q On this point?

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1 A Correct.

2 Q Okay. Okay. What is Elam Alexander's process  
3 for collecting data relating to a student's progress on  
4 their behavior goals?

5 A So we have point sheets, daily point sheets,  
6 and we have an Excel sheet for every student that is a  
7 folder on OneDrive or SharePoint, and so their data is  
8 put in daily and weekly and then reported out through the  
9 IEP cycle or when we have report cards, and we send home  
10 that kind of data or a parent meeting.

11 Q Is this daily point sheet at -- for students at  
12 every site or just the Burke Center?

13 A It's at Burke and Adolescent.

14 Q Okay. Is it at the satellite classrooms?

15 A No.

16 Q Okay. Do the point sheets look the same at  
17 Burke and Adolescent?

18 A I think there is some variation.

19 Q Okay.

20 A They have -- the PBIS team can -- can make  
21 tweaks based on like if Adolescent has six classes and  
22 they are rotating, so their point sheet might look  
23 different.

24 Q Uh-huh.

25 A And then every point sheet, it may be the same

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1 type of sheet, but then they have their different goals,  
2 so every child may have different goals.

3 Q So students' sheets look the same, but there  
4 may be different goals?

5 A Right. So they get a blank sheet every day,  
6 and then they write their goals in.

7 Q Oh, the students write the goals in?

8 A Right. They have to have -- they need to take  
9 ownership of their goals. That's our thought on that.

10 Q Is that at every grade level?

11 A No. So K through 2, we will write it in, and  
12 then we can -- you know, we coach them, hey, you've  
13 earned two points for this, and so they will put either  
14 stickers, and we assist with that.

15 Q How many points are -- are students trying to  
16 get in a day?

17 A Well, it depends on the grade level. With our  
18 little bitties, they could maybe -- I think they are on  
19 the 1-2 kind of system, so they could be looking at, I  
20 don't know, 10 to 20.

21 The middle schoolers, they work on the  
22 thousands. So you still have to have -- you know, you've  
23 earned 2,000 positive learning -- I mean positive points,  
24 so 50- to 60,000, and then the same for high school.

25 Q What do these points lead to?

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1           A    So they have privilege menus. Every student  
2   can access a privilege menu, and they are part of  
3   creating that. So it could be additional computer time  
4   or time in the gym or PBIS room, whatever their -- is on  
5   their privilege menu.

6           Q    Are any of the daily point sheet elements, if  
7   that's what you would call them, the -- the things that  
8   are being assessed, are any the same for all students in  
9   a class?

10          A    If they had the same behavior goal.

11          Q    Okay. Are there certain -- are there certain  
12   elements that you would expect to see for all students in  
13   the Elam Alexander Academy?

14          A    Not necessarily.

15          Q    Okay. It's individualized?

16          A    Right, because that's their tracking mechanism  
17   for meeting their goals. So then --

18          Q    Okay.

19          A    -- they look at the point sheet. Then we put  
20   it in, and then that's what --

21          Q    Okay.

22          A    -- produces the information we need.

23          Q    And that point sheet then goes into the folder  
24   that you mentioned?

25          A    What folder?

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1 Q I think you just talked about a folder on  
2 OneDrive. Did I --

3 A Not all those point sheets. So like they have  
4 a rainbow folder, is what they are called --

5 Q Okay.

6 A -- for every student, and it has their behavior  
7 data, academic data, things like that. The physical  
8 point sheet doesn't go to the cloud.

9 Q Okay. And then this rainbow folder --

10 A Yes.

11 Q -- is this on the cloud or is this a physical  
12 folder?

13 A That's on the cloud.

14 Q On the cloud, okay. And who does a rainbow  
15 folder go to?

16 A So that's -- it's in the teacher's possession  
17 on their SharePoint, and then the instructional coaches  
18 and coordinators have access, and that's the information  
19 we use in IEP meetings.

20 Q And just to make sure I'm following, these  
21 rainbow folders are for Adolescent Services Center and  
22 the Burke Campus?

23 A So that's program wide.

24 Q That's program wide?

25 A Yes.

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1 Q Okay. Okay. And these are used then at IEP  
2 meetings?

3 A Correct.

4 Q Okay. And then are these behavior goals  
5 similar to what we spoke about earlier with exit  
6 criteria? Are any of these unattainable in your opinion?

7 A They should not be now. That's something that,  
8 you know, I train on quite often.

9 Q Have you seen any recently that seem  
10 unattainable?

11 A Not that were created by us. If it was an IEP,  
12 say we were invited to a meeting and they want to set the  
13 criteria at that meeting prior to placement, they may  
14 want to set it pretty high, and we have to have a  
15 conversation about that.

16 Q Thank you.

17 So would these behavior points, if -- if a  
18 student is always being successful, is that something  
19 that would indicate that a student may need a -- a  
20 different environment?

21 A Correct.

22 Q Okay. And that when you look at these points,  
23 that would be something that you would look at to  
24 consider raising this with an IEP team?

25 A Right.

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1 Q Okay. Thank you.

2 A moment ago you mentioned a program that  
3 contained, I think, attendance records. And am I right,  
4 there was like some sort of program where you entered  
5 student attendance?

6 A So weekly I meet with my coordinators. It's  
7 not a program. It's a --

8 Q Oh, okay.

9 A It's a form that we use that's loaded in our  
10 leadership teams, and it's a weekly leadership form, and  
11 we talk about if -- if there is a student that has  
12 attendance issues, and then I also monitor staff  
13 attendance.

14 Q Okay. Have you seen any challenges with  
15 student attendance issues this school year?

16 A Oh, we have some students.

17 Q Okay. What percentage of students?

18 A Very low.

19 Q Okay. And are these just for students at Burke  
20 Campus and Adolescent Center or for all your students?

21 A All students.

22 Q Okay. And what happens if you're seeing some  
23 challenges related to attendance?

24 A So we -- we follow the attendance policy that's  
25 put out through Bibb. And there is a policy like at --



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1 the one and two day, we make a parent call. Three day,  
2 they get a letter. Then we schedule -- like five days we  
3 schedule a meeting to discuss, but because we have social  
4 workers, we get them more involved.

5 Q Okay.

6 A So...

7 Q And then for a student to be counted in  
8 attendance, what portion of the day must they be  
9 attending?

10 A Like 80/90 percent.

11 Q Okay.

12 A Yeah.

13 Q Is that an Elam Alexander Academy requirement?

14 A I think so.

15 Q Okay. And then is this data that you regularly  
16 review with staff then?

17 A Attendance?

18 Q Yeah.

19 A Yes.

20 Q Okay. And then what about the staff data that  
21 you were -- you just referred to? Do you have attendance  
22 challenges with any of your staff members?

23 A Sure.

24 Q Okay. Is that something you have right now?

25 A Let me think. Not attendance, more tardy. Not

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1 wanting to come to work on time.

2 Q Okay.

3 A More of that than we have attendance.

4 Q Okay.

5 A But it's something I keep a close eye on.

6 Q Okay. Would you say it's -- what percentage of  
7 your staff has that challenge?

8 A With tardiness?

9 Q Uh-huh.

10 A Maybe 5 percent.

11 Q Okay.

12 A It's low.

13 Q Okay.

14 A It's just a pet peeve of mine.

15 Q You are punctual?

16 A Yes.

17 Q What is your average daily attendance rate for  
18 students?

19 A Oh, we can pull that at any point in time. So  
20 I think we are in the 90s, high 90s.

21 Q Okay. If a student ever is asked -- are -- are  
22 students ever asked to stay at home or sent home due to  
23 behavior issues or something? Yes?

24 A Yes.

25 Q Okay. If you are sent home and you're a

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1 student, is this counted as being in attendance or not in  
2 attendance if you are given work to do at home?

3 A No. You are usually suspended. If we are  
4 sending you --

5 Q Okay.

6 A -- home, it's a suspension.

7 Q Okay. What percentage of your students are  
8 suspended?

9 A It's pretty -- it's probably more of my  
10 Milestones middle school kids that have the most  
11 suspensions.

12 Q Okay. And do you use ISS and OSS?

13 A I do not use ISS.

14 Q Okay. Only OSS?

15 A Correct.

16 Q And how long are suspensions generally?

17 A Usually one day. If it's something major like  
18 a big fight, it would be two days. If a staff member is  
19 injured, it would be more two to three days, but we -- we  
20 don't exceed the ten-day mark.

21 Q Okay.

22 A So it's something we monitor.

23 Q And how often do you monitor that?

24 A Weekly.

25 Q Okay. What process do you have in place for

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1 collecting data related to student scheduling and classes  
2 and academic records?

3 A I don't understand the question.

4 Q Yeah. How do you maintain data related to  
5 student schedules and their academic records? Is that in  
6 the rainbow folder? Is that in a different database?

7 A So student records are held at their LEA.

8 Q Okay.

9 A But as far as scheduling, we do their  
10 schedules.

11 Q Okay.

12 A We put their schedules in.

13 Q And is that -- can you find someone's schedule  
14 through an online portal?

15 A Yes.

16 Q Okay. And what is that portal?

17 A Infinite Campus.

18 Q That's the Infinite Campus that you were  
19 talking about?

20 A Yes.

21 Q Okay. And what else is hosted in Infinite  
22 Campus again?

23 A A slew of things. So you have behavior. You  
24 have attendance. You have their grades. You have their  
25 core schedule, parent contacts, general contact log. It

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1 depends on your rights to that, what you see.

2 Q Uh-huh.

3 A Previous behavior, testing. Sometimes their  
4 assessments. It really depends on what your access level  
5 is.

6 Q Okay. And would you be able to see everything?

7 A No, I wouldn't say so. I don't know what other  
8 people get to see, so I don't know if they see way more.  
9 But I have access to the Burke Campus and Adolescent  
10 Services. I don't have access to the satellite classes.

11 Q Who has access to the satellite classes?

12 A Those home schools.

13 Q Okay. Do the -- does Mr. Grant, for example,  
14 as the satellite coordinator, have access?

15 A I am not sure. I want to say -- I don't think  
16 he does --

17 Q Uh-huh.

18 A -- because most everything goes through that  
19 home school.

20 Q Okay.

21 A So like with Nikki's kids at Southwest High  
22 School, Mr. Young really takes ownership of that class.

23 Q Okay.

24 A So they set their kids' schedule. They look at  
25 the transcript. We work collaboratively to set

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1 schedules. If there's a behavior incident that requires  
2 something like an out-of-school suspension, Mr. Young is  
3 going to have to enter that. He has ownership of those  
4 classes.

5 Q So let's just say again Mr. Grant because he's  
6 the satellite coordinator, he is not made aware of  
7 students' schedules for the satellite programs?

8 A Yes, he is. So every -- beginning of every  
9 year, he sits with those school counselors and the  
10 principal, and they determine the kids' -- the students'  
11 schedule.

12 Q Okay.

13 A But their IC person, Southwest staff enters the  
14 schedule.

15 Q Understood. And IC person is?

16 A Like their data clerk.

17 Q Oh, so that -- IC stands for Infinite Campus?

18 A Yes.

19 Q Okay. I'm getting the lingo.

20 So Mr. Grant would know at the beginning of the  
21 school year. Are you also made aware of student  
22 schedules at the satellite classrooms?

23 A Not necessarily.

24 Q Okay. Is that something that he then would  
25 maintain and be able to share with you if you had a

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1 question?

2 A Yes.

3 Q Or would you have to go to a principal like  
4 Mr. Young?

5 A So I'm pretty sure Steven goes to Mr. Young.  
6 But I say, hey, I need this, this, and this. And he  
7 says, okay, I will get it to you.

8 Q Okay. Understood. Thank you.

9 And then Infinite Campus is a -- who is it run  
10 by, Infinite Campus? Is it Bibb County or is it --

11 A So each LEA uses something different but most  
12 use Infinite Campus. Some use PowerSchool like... But  
13 so --

14 Q Do your eight LEAs all use Infinite Campus?

15 A No, but all of my students that I serve, if  
16 they are at the Burke or Adolescent campus, are entered  
17 into my IC, my Infinite Campus.

18 Q Understood. Even if they live in Houston?

19 A Correct.

20 Q Okay. Thank you.

21 Is this database, Infinite Campus what's on  
22 there, also used to ensure that a student is on track to  
23 graduate?

24 A You can review their transcripts there.

25 Q Okay. How else would that be done?

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1           A    So we -- we don't review transcripts like that.  
2   We send that back to their home schools, and their --  
3   their counselors review it and say, okay, let's look and  
4   see what this child needs.

5           Q    Okay. Are IEPs also housed on Infinite Campus?

6           A    No. The majority of our districts use GO-IEP,  
7   and Houston County uses TIEnet.

8           Q    TIEnet?

9           A    TIEnet.

10          Q    How do you spell that?

11          A    T-I-E-n-e-t.

12          Q    Okay. And GO-IEP is a State database?

13          A    Yes.

14          Q    Okay.

15          A    I think Peach or Crawford used Infinite -- I  
16   think Peach used to use Infinite Campus, but I think they  
17   have made the switch over to GO.

18          Q    Okay. Understood.

19               Does -- is there any database to ensure or for  
20   a student to -- is there any database that you would be  
21   able to identify a student's post secondary goals on? Is  
22   that maintained anywhere?

23          A    That's in their IEP.

24          Q    In their IEP.

25          A    So that's in their transition plan.



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1 Q Okay. And when is a transition plan made?

2 A Eighth grade.

3 Q Are those regularly -- the transition plans  
4 regularly being monitored for your students?

5 A Yes.

6 Q Is that something that you do or a team does?

7 A That's through the IEP process.

8 Q Through the IEP process, okay.

9 Are any reports run through the Infinite --  
10 there's a lot of data in Infinite Campus, so is there any  
11 reports that you run?

12 A I can run -- yeah, there is multiple reports  
13 you can run, but I run like total days of OSS. I can run  
14 it per month. I can set the date range. I can run how  
15 many physical restraints. There's like the big five.  
16 You can run, you know, a lot of information. I will try  
17 not to talk in circles. But it's a lot like SWIS, which  
18 you use for PBIS, and you can run a -- a slew of data.

19 Q You mentioned the big five?

20 A So, yeah. That's like behavior by location,  
21 time, what the behavior was. I forgot the other two.

22 Q Okay. But that's what you could run?

23 A Uh-huh.

24 Q Okay. Thank you.

25 Are -- do any of these reports that you run,

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1 does the information go to the zone school or to the home  
2 LEA or to GaDOE?

3 A Not necessarily. So the home LEA requests  
4 grades, behavior, and attendance.

5 Q Grades, behavior, attendance?

6 A Uh-huh.

7 Q How often?

8 A We -- we send it monthly, I believe.

9 Q Do you report the end of course Milestones to  
10 the State?

11 A No, because they are not -- I -- I don't have  
12 access to that, so that information goes to their zone  
13 school or home school, and then they can report it to me.

14 Q Does the State reach out to you ever with  
15 Milestones data? Do the GaDOE folks like Vickie and  
16 LaKesha?

17 A I don't believe so.

18 Q In the past have they?

19 A I don't -- you mean providing me with data or  
20 requesting the data?

21 Q Either.

22 A I can't recall. Maybe. Not often, if so. Not  
23 that -- not that I can remember.

24 Q Is that information on the GNETS grant  
25 application?

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1 A I don't believe so.

2 Q Okay. I'm not trying to quiz you.

3 A No, you are fine. I'm trying to think.

4 Q Yeah.

5 Are you familiar with the GNETS Facilities  
6 Condition Assessment Reports?

7 A I believe that's something that came out eight,  
8 nine years ago because the --

9 THE WITNESS: God bless you.

10 MS. SOLOMON: Thank you.

11 THE WITNESS: I believe that was like eight or  
12 nine years ago. I don't recall the reports, but it's  
13 when they were going through the walk-through to make  
14 sure that the facilities were not substandard.

15 Q BY MS. TUCKER: Okay. Did you complete any of  
16 these at that time?

17 A Yes. I think it was me or Lara Sims, but I  
18 want to say I did some walk-throughs with Bibb County for  
19 the Burke Campus.

20 Q And this was eight or nine years ago for --

21 A Yes.

22 Q -- Burke?

23 And have you done that since?

24 A I don't for that. I do maintenance  
25 walk-throughs, period.

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1 Q The ones we spoke about earlier?

2 A Correct.

3 Q Okay. But the GNETS Facilities Condition  
4 Assessment was done eight or nine years ago?

5 A Correct.

6 Q Were any of the Elam Alexander Academy sites  
7 closed after the Facilities Condition Assessment reports?

8 A No.

9 Q Okay. How are dropouts reported?

10 A That's something that's reported by the LEA.

11 Q Okay. Do you know if the dropouts from Elam  
12 Alexander Academy are counted as an Elam Alexander  
13 Academy dropout, or is it a Bibb County, like, dropout,  
14 like their zone school?

15 A That would fall in their zone school.

16 Q Okay. Is it something that you look at  
17 otherwise?

18 A I don't have access to that.

19 Q Well, in general, if you know that a student  
20 is -- like if students are dropping out of Burke Campus  
21 or Southwest Adolescent Center, is that something that  
22 you look at?

23 A Not on a regular basis.

24 Q Okay. Have you had students drop out from Elam  
25 Alexander Academy?

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1 A At the high school campus, I'm sure we've had  
2 students --

3 Q Yeah.

4 A -- drop out.

5 Q Okay. But it's not a factor that you've  
6 assessed?

7 A No.

8 Q Who collects and analyzes and provides  
9 information for the State report card?

10 A I don't even know what that is.

11 Q Okay. So it's not you?

12 A Uh-huh.

13 Q Okay.

14 A It's not me.

15 Q Who collects, analyze, and provides information  
16 necessary to -- for the required right to know  
17 notification?

18 A Is --

19 Q Are you familiar with the right to know  
20 notification?

21 A So is that what you are talking about, if they  
22 don't have -- if they are not sending it from a content  
23 teacher?

24 Q Correct.

25 A So that comes from the LEA.

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1 Q Okay. And then all of your teachers are Bibb  
2 County teachers?

3 A Correct.

4 Q Okay. So it would be Bibb County?

5 A Correct.

6 Q Are you familiar with the GNETS annual  
7 accountability report?

8 A I believe that's really old, and I think it was  
9 before my time.

10 Q As director?

11 A Correct.

12 Q Okay. What about the comprehensive needs  
13 assessment report; are you familiar with that?

14 A Can you put it in context?

15 Q If you are not familiar -- okay.

16 A I don't know off the top of my head.

17 Q Yeah.

18 MS. TUCKER: Okay. I'm gonna -- I'd like the  
19 court reporter to mark the following document as  
20 Plaintiff's Exhibit 578.

21 (Plaintiff's Exhibit 578 was marked for  
22 identification.)

23 Q BY MS. TUCKER: Okay. This is an e-mail thread  
24 with the most recent e-mail dated November 5th, 2020,  
25 between you, Vickie Cleveland, and LaKesha Stevenson.

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1 The subject reads, "Regional TA Meeting/Link." The Bates  
2 number on the bottom of the first page reads GA00363717.

3 Ms. Cole, do you recognize this e-mail thread?

4 A Yes.

5 Q Okay. Let's start with the earliest e-mail.

6 This is the November 4th, 2020 e-mail from LaKesha  
7 Stevenson to you, and Vickie Cleveland is copied.

8 Do you see that?

9 A Yes.

10 Q Okay. So in the first sentence, LaKesha  
11 Stevenson wrote, "The presentation from the regional  
12 meeting is attached."

13 What regional meeting is she referencing?

14 A I believe this is the TA meeting where she met  
15 with me and the special ed directors that I serve, those  
16 LEAs.

17 Q Uh-huh.

18 A It was virtual.

19 Q Uh-huh.

20 A Because I was at a conference, and it was  
21 regarding numbers, students participating in GNETS.

22 Q In general?

23 A Correct.

24 Q At Elam Alexander Academy?

25 A Correct.

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1 Q Okay.

2 A I think she even broke the presentation down by  
3 eligibility.

4 Q Okay. And it was a presentation that LaKesha  
5 Stevenson did -- did for you and the special education  
6 directors in the LEA?

7 A She did -- they held these meetings with every  
8 GNETS director.

9 Q Okay.

10 A With every single program and their  
11 participants, their special --

12 Q Right.

13 A -- ed directors.

14 Q But it was separate -- you had one for you and  
15 your participants?

16 A Correct.

17 Q Okay. And then North Metro had one for them in  
18 those?

19 A Correct.

20 Q Okay. Understood.

21 Has she done a meeting like that since then?

22 A No.

23 Q Okay. This was the only one?

24 A Yes.

25 Q Was it something that had been done prior by



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1 someone else besides LaKesha Stevenson?

2 A Not that I can recall.

3 Q Okay. Do you see where the second sentence she  
4 writes, "Please use the link below to complete the GNETS  
5 Duties and Responsibilities Checklist"?

6 Do you see that?

7 A I do.

8 Q What is the GNETS Duties and Responsibilities  
9 Checklist?

10 A I have no idea.

11 Q Okay.

12 A I don't know if it was the form like what we do  
13 as opposed to like, you know, what the SEA does, the LEA  
14 does, what we do. I have no idea. I can't recall that.

15 Q Okay. Has it -- so have you seen a checklist  
16 like this since?

17 A Not that's not on the rule.

18 Q Okay.

19 A You know, the GNETS board rule.

20 Q Uh-huh. Okay. Let's look to the next e-mail  
21 which is your e-mail.

22 A Yes.

23 Q Okay. Do you see where you ask whether you can  
24 complete file reviews by the end of the month?

25 A Yes.

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1 Q Okay. What are file reviews?

2 A So she -- we were asked to complete file  
3 reviews for every student that was receiving services  
4 through GNETS, and that would be like from their gtiD to  
5 their eligibility category. It's a lot of the  
6 information that was on like the guiding questions. Like  
7 it was pretty much that kind of information --

8 Q Uh-huh.

9 A -- for every student that was receiving  
10 services.

11 Q And by "guiding questions," do you mean the  
12 GaDOE guiding questions document we looked at earlier?

13 A Correct. So it asked questions like that, when  
14 were they placed, when did they exit, that type of thing.  
15 It was -- it's pretty extensive.

16 Q Okay. And you completed this for -- you had to  
17 complete this for all your students?

18 A Yes.

19 Q At centers and school-based locations?

20 A Correct.

21 Q Okay. And did -- was -- and this was requested  
22 by Vickie Cleveland and LaKisha Stevenson?

23 A Correct.

24 Q Did they share the purpose for the file review?

25 A No.

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1 Q Okay. Have you had to do this again since  
2 2020?

3 A No, I don't think so. I've done it twice, but  
4 I can't remember. I think this was the first time. I  
5 think I've done this twice.

6 Q Okay. So this was 2020. When do you think you  
7 did it the second time?

8 A It may have been beforehand because -- because  
9 I think this was my second time having to do it.

10 Q Okay. And by "beforehand," do you mean like in  
11 the five years before 2020 or was it like 2019?

12 A I think it was like 2017/'18ish. I think it  
13 was really right close when I became director.

14 Q Okay. Thank you.

15 Have you heard that you need to do this again  
16 soon?

17 A No.

18 Q Okay. It sounds like you are not looking to do  
19 that; is that correct?

20 A Girl.

21 Q Yeah. So this took a long time, Ms. Cole?

22 A Yes.

23 Q Okay.

24 A Yes.

25 Q Okay. I understand.

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1 A Okay.

2 Q Did you find the review helpful in any way?

3 A It's a lot of information.

4 Q Uh-huh. Did you use any of the information to  
5 look at overall trends or did you learn anything?

6 A So it was in a Jotform, and my thought of -- my  
7 process was a little bit different. So I created a form  
8 that mimicked their Jotform because this was my second  
9 time having to do it. So I created my own form. So it  
10 was really hard to push out the data and separate it out  
11 the way that -- in the Jotform.

12 Q Okay.

13 A So were there some things that I could pull  
14 out? Yes. Like length of stay, I could look at that and  
15 be like, whoa. Or, okay. But it was hard to  
16 disaggregate --

17 Q Okay.

18 A -- disaggregate that kind of data.

19 Q I understand.

20 A Yeah.

21 Q You did it like Jotform?

22 A So they had it in a Jotform. Like literally  
23 you stick it in, and then it would go to them. So I  
24 mimicked that form myself in a separate way so that I can  
25 maintain that.

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1 Q In a different document like --

2 A Yes.

3 Q -- Excel or something?

4 A Yes.

5 Q Okay. I understand. Thank you.

6 If you receive complaints from families, do you  
7 share those with the LEA?

8 A Yes.

9 Q Okay. What about with GaDOE?

10 A If it rises to that level. I can't name of any  
11 that has --

12 Q Okay.

13 A -- gone that way.

14 Q Do you receive -- share every complaint with  
15 LEA?

16 A If -- if it's -- if it's about -- I mean, a  
17 lot, yes. I would say yes.

18 Q Who do you share due process complaints with?

19 A So those are actually shared with me because  
20 they are filed with the LEA.

21 Q Okay. Understood.

22 Have you had a lot of due process complaints  
23 this past school year?

24 A It depends on what you call "a lot." I've  
25 had -- and they really haven't been against me, per se.

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1 I've just been involved because we provide services.

2 Q I understand.

3 A So maybe this year, I think I've had -- I know  
4 of one.

5 Q Uh-huh.

6 A I know of one.

7 Q Okay. What about last school year?

8 A I can't recall any. Maybe one.

9 Q Okay.

10 A I can't recall them off the top of my head,  
11 though. Not a -- not a lot.

12 Q Okay. Are there any school years that you can  
13 recall where there was more than five?

14 A No.

15 Q Okay. Earlier we spoke about GNETS director  
16 meetings. I think you said they were monthly in the past  
17 but no longer monthly?

18 A I believe so. I think when I first began as a  
19 GNETS director we had them monthly.

20 Q Okay.

21 A And I think -- I want to say we had them  
22 monthly. I would say now there are probably more, like  
23 once every two to three months, I believe.

24 Q Okay. And these were held in person before?

25 A Some were, not all.

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1 Q Okay. So you were using Zoom before we all  
2 did?

3 A Yes.

4 Q Okay. Who leads the meetings?

5 A DOE.

6 Q Okay. So it's -- again, it's Vickie and  
7 LaKesha?

8 A Uh-huh.

9 Q Okay. Do you ever play a role in the meetings?

10 A I served on the executive board for a couple of  
11 years, and so initially with GNETS directors' meetings,  
12 it would -- we would meet with Vickie and LaKesha or  
13 Nakeba, whoever it was, and talk about -- you know, they  
14 had an agenda, and then anything that we felt like needed  
15 to be discussed.

16 Q That was the role of the executive board?

17 A Correct.

18 Q Okay. Are you still on the executive board?

19 A Technically.

20 Q What does that mean?

21 A I mean, I think that -- I believe I am. We  
22 just don't ever -- I don't really serve a purpose.

23 Q Okay. When was the last time that you think  
24 that that executive board served a purpose?

25 A Probably last year.

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1 Q So last school year?

2 A Yes.

3 Q Okay. Who else is on the executive board with  
4 you?

5 A So it's Joanna Mock, Whitney Braddock, and  
6 Carrie Miller.

7 Q Okay. And have you been on the executive board  
8 the whole time you were a director?

9 A No.

10 Q Okay. So when did you join the executive board  
11 again?

12 A I think three or four years ago.

13 Q Okay. Were you asked or did you volunteer?

14 A I was asked.

15 Q And then would LaKesha Stevenson and Vickie  
16 Cleveland also be part of the executive board?

17 A They would consult with us, yes.

18 Q They would consult with you. Okay.

19 So what did it do in the past?

20 A So in the past, it would -- we would meet with  
21 the Department of Education or Vickie and LaKesha or  
22 Nakeba prior to any GNETS meeting, and participate in  
23 like the planning of the conversation, what -- what's the  
24 purpose of the meeting. What are areas that we need to  
25 cover. We would also plan if we had any like statewide



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1 for GNETS folks, professional development.

2 Q Okay. Who would lead -- lead the executive  
3 board meetings?

4 A Joanna.

5 Q Joanna. And that's Joanna Mock?

6 A Yes.

7 Q Okay. I want to turn back to Plaintiff's  
8 Exhibit 460 which was introduced earlier. This was the  
9 document with the various consultation forms and flow  
10 chart. Do you recall that?

11 A Yes.

12 Q Okay. There was a sticker that was -- wasn't  
13 from today. It was from before.

14 A Okay.

15 Q This is 460.

16 A All right. Let's see.

17 Q And at the top of the page it starts with an  
18 e-mail from Vickie to LaKesha.

19 MS. SOLOMON: This is what the first page looks  
20 like (indicating).

21 THE WITNESS: Okay. Is it the request and all  
22 of this?

23 MS. SOLOMON: Yes.

24 THE WITNESS: The request for -- yes. I think  
25 I mixed it all up.

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1 MS. SOLOMON: Yeah. This is all part of it.

2 Okay. So this is where it starts, Brooke (indicating).

3 THE WITNESS: Okay. Thank you.

4 MS. TUCKER: Thank you, Ms. Solomon.

5 Q BY MS. TUCKER: I'm going to turn to the -- the  
6 second page, which it has the Bates of GA00030539 at the  
7 bottom.

8 A Yes.

9 Q Do you see it?

10 Okay. And am I correct that this is a director  
11 meeting agenda for August 21st, 2018?

12 A Yes.

13 Q Okay. Is this a -- just taking a look, is this  
14 a typical GNETS director meeting agenda?

15 A Yes.

16 Q Okay. And who creates the agenda?

17 A That would be Vickie and LaKesha.

18 Q Okay. And who sends it out?

19 A Usually -- sometimes they would. Sometimes it  
20 would be Joanna.

21 Q Okay. As executive direct- -- or --

22 A As like she was like the president of the  
23 executive --

24 Q Of the executive board.

25 Okay. And so looking at the presenter list for

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1 August 21st, 2018, am I correct that Joanna Mock is the  
2 only presenter who is not a GaDOE employee?

3 A Correct.

4 Q Okay. Do you still receive agendas like this  
5 for the statewide director meetings?

6 A I don't believe so.

7 Q Okay. When do you think that stopped?

8 A Probably a year or two ago.

9 Q Okay. So I believe you said there was a  
10 director meeting on Monday, correct?

11 A Correct.

12 Q Was there any agenda shared in advance?

13 A No, I do not believe so.

14 Q Okay. So there -- there wasn't an attachment  
15 like this?

16 A No. So it's all virtual, so it was a part of  
17 the PowerPoint. So it probably was in the very beginning  
18 of the agenda just like the topics in the PowerPoint.

19 Q Like bullet one, two --

20 A Yes.

21 Q -- three, four?

22 Understand. So there was a PowerPoint during  
23 Monday's meeting?

24 A Correct.

25 Q What was discussed on Monday?

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1 A Oh, man. She -- I think they talked about GAA  
2 2.0.

3 Q Okay. You mentioned that earlier. That is the  
4 new Georgia Alternative Assessment?

5 A That's the assessment. That's their --

6 Q Okay.

7 A It's like their Milestones.

8 Q Uh-huh.

9 A But see, I had two meetings that day, so I had  
10 VIP (phonetic) that morning, which is a Bibb County  
11 meeting, and so that's the only part I think I was a part  
12 of. I think it was GAA.

13 Q Okay.

14 A That was it.

15 Q So GAA 2.0 is only for GAA students, right?

16 A Correct.

17 Q And you are the regional GNETS program with the  
18 large majority of GAA students?

19 A Correct.

20 Q Okay. Are there any regional GNETS programs  
21 with no GAA students?

22 A I have no idea.

23 Q Okay. But this was a training portion of the  
24 meeting on Monday?

25 A Correct.

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1 Q Okay. And this was the only part of the  
2 meeting that you were able to attend?

3 A Correct.

4 Q Do you recall or did you see the agenda on the  
5 PowerPoint?

6 A No, but I do have the PowerPoint. They e-mail  
7 it afterwards.

8 Q Okay. Thank you.

9 MS. TUCKER: We'd like to follow up about a  
10 copy of the PowerPoint, Sydney, if we can follow up with  
11 you.

12 MS. SOLOMON: Okay.

13 Q BY MS. TUCKER: Earlier we looked at GNETS  
14 grant applications, correct?

15 A Yes.

16 Q Okay. And I want to just talk about the  
17 process. I know you said you completed it in May. You  
18 started in April and completed it in May. But just can  
19 you talk about the process of gathering the information?

20 A Sure. So depending on the questions, that's  
21 when I start asking for the information from different  
22 coordinators, whatever it may be. Like the Tier I, Tier  
23 II kind of stuff, I ask for my PBIS people because that's  
24 in SWIS. And then I start filling it in.

25 Q Okay. Do you receive training or guidance from

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1 GaDOE about the application each year?

2 A Not necessarily.

3 Q Is it discussed at a directors meeting on this  
4 is what's going to be required this year?

5 A So we used to have a separate strategic plan  
6 that we would upload documents to, and that's kind of  
7 funneled into the grant, so they did talk about that when  
8 that took place, when that change took place.

9 Q Okay. And the -- does the strategic plan still  
10 exist?

11 A Only within the grant. So some of that  
12 information is embedded in the grant.

13 Q Okay. We'll -- we'll follow up with the  
14 strategic plan.

15 Related to the grant application, it's  
16 projecting for the next year, correct? You are using  
17 last year's data to project for the next year?

18 A For staffing, yes. It's requesting some of the  
19 data from last year, and then in May you have some idea  
20 of what you are looking at, and so you put that in the  
21 grant and you sign off.

22 Q Are there any on-site visits from someone at  
23 GaDOE in connection with the grant process?

24 A Not that I'm aware of.

25 Q Okay. And then I think earlier you said that

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1 you would be provided feedback if there was something  
2 missing; is that correct? Or what other type of  
3 questions would be asked of the grant?

4 A So typically it's that. It's if something is  
5 missing or if there has been a change from May -- May to  
6 July, you know, they have to push it back. It's that  
7 kind of information.

8 Q Okay.

9 A If I have closed a class, they call and say,  
10 hey, I see that you have closed two classes.

11 She is burning up. I know. I am, too. I'm  
12 sorry. It's okay.

13 Q We can -- in a moment, maybe we can take a  
14 break so folks can just get outside and get some air for  
15 a second.

16 A You are fine.

17 (Off-the-record discussion.)

18 Q BY MS. TUCKER: Do you -- does GaDOE approve  
19 the grant application?

20 A Yes.

21 Q Okay. Are you able to check that status  
22 somewhere?

23 A Yes. So there's a sign-off portion, and I sign  
24 off, and then it kicks it to them, and then I can see if  
25 they have signed off.

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1 Q Okay. Does the GNET grant application  
2 prescribed what funds may -- or does the GNETS grant,  
3 excuse me, prescribe what funds may be used for what?

4 A No.

5 Q Okay. You just -- you get the grant money, and  
6 you are able to use it how you wish?

7 A Well, no. So all of staffing, like salaries  
8 and benefits, come out of State.

9 Q Uh-huh.

10 A So there's just some budgeting rules that you  
11 have to abide by.

12 Q Uh-huh. Okay. Are there program expenses that  
13 are not covered by the GNETS grant?

14 A Like in-kind services?

15 Q Okay.

16 A Is that what you are referring to?

17 Q What would in-kind services include?

18 A So that might be personnel. So it may be that  
19 a County provides me with an additional para pro or  
20 direct support or like a custodian or a hall monitor.  
21 They may pay for -- like Bibb County pays for STAR  
22 Assessment.

23 Q Okay.

24 A Things to that nature.

25 Q Okay. And has Elam Alexander Academy applied



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1 for a GNETS grant for every year it's been in operation?

2 A Yes.

3 Q Okay. And does this grant provide the bulk of  
4 funding for the program?

5 A Yes.

6 Q I know earlier you mentioned there was a grant  
7 you received from the State to receive therapeutic  
8 services?

9 A Correct.

10 Q Are there any other grants you've received from  
11 the State?

12 A Not that I'm aware of.

13 Q Okay. Has Elam Alexander Academy also applied  
14 for a GNETS facility grant?

15 A No.

16 Q Okay. Is that something that you think happens  
17 in the past and hasn't happened recently, or you just  
18 know?

19 A I don't think we did because our facilities  
20 were just updated.

21 Q Okay.

22 A When that all kind of rolled out, ours were  
23 just updated.

24 Q Okay.

25 MS. TUCKER: Okay. I'd like the court reporter

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1 to mark the following document as Plaintiff's Exhibit  
2 579.

3 (Plaintiff's Exhibit 579 was marked for  
4 identification.)

5 Q BY MS. TUCKER: This is a March 8th, 2017  
6 e-mail from you to Nakeba Rahming. The subject reads  
7 "Facilities," and the Bates number on the bottom of the  
8 page reads GA00784347.

9 Ms. Cole, do you recognize this e-mail?

10 A I do.

11 Q Okay. You are smiling.

12 A Yes, because I remember putting a smiley  
13 face --

14 Q Okay.

15 A -- on the e-mail.

16 Q Yes, there is.

17 Am I correct that you were asking whether GaDOE  
18 will follow up with Elam Alexander Academy regarding  
19 requested facility repairs?

20 A Correct.

21 Q Okay. Well, what was the impetus of these  
22 repair requests?

23 A So when all of that came, it was eight or nine  
24 years ago when they were doing the facility checks. We  
25 had -- just recently they renovated Burke, and there were

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1 some areas like small things, like the awning in the  
2 front that's covering the sidewalk or painting the front  
3 parking.

4 Q Uh-huh.

5 A I think those were the two major ones. It was  
6 very minimal. And so my question was, is anybody going  
7 to come back and make sure this happened.

8 Q Uh-huh. And what was the response?

9 A I have no idea. I don't remember.

10 Q Okay.

11 A I don't think anybody came back to check.

12 Q Okay.

13 A I think we went on the honor system.

14 Q Okay.

15 A Yeah.

16 Q With your smiley face?

17 A Yes, with my smiley face.

18 Q Okay. Are you aware of any changes being made  
19 to the grant process for this current school year for the  
20 2022/'23 school year when you complete it in May?

21 A I have not heard of any.

22 Q Okay. Great.

23 MS. TUCKER: Why don't we take a little break  
24 so we can all get some air. Does that work?

25 MS. SOLOMON: Yes.

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1 THE VIDEOGRAPHER: The time is 5:27 p.m., and  
2 we are off the record.

3 (The deposition was at recess from 5:27 p.m. to  
4 5:44 p.m.)

5 THE VIDEOGRAPHER: The time is 5:44 p.m., and  
6 we are on the record.

7 MS. TUCKER: Thank you.

8 Q BY MS. TUCKER: Ms. Cole, earlier you mentioned  
9 the GNETS strategic plan?

10 A Yes.

11 Q And you said that this year it's being wrapped  
12 into the GNETS grant application, correct?

13 A So that started last year.

14 Q Last year?

15 A They pushed some of that information into the  
16 grant.

17 Q Okay. Let's take the strategic plan prior to  
18 last year. What -- what was the strategic plan then?

19 A So actually we were on a three-year rolling.  
20 It was -- it was based on -- so you have information from  
21 my last that I did?

22 Q Uh-huh.

23 A Because I was at 100 percent. So then once I  
24 reached 100 percent, then they would not monitor me again  
25 for three years. So it was artifacts regarding

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1 instructional -- instructional practices, behavioral  
2 practices, fiscal management, things to that nature.

3 Q Okay. So when did you last receive 100  
4 percent?

5 A Three or four years ago.

6 Q Okay. Would it be in 2019? Does that sound  
7 right?

8 A It does sound right.

9 Q Okay.

10 A I think I provided that --

11 Q Yeah.

12 A -- outcome.

13 Q I'm happy to share that really fast.

14 Okay, I have my folder somewhere.

15 MS. TUCKER: Okay. I'd like for the court  
16 reporter to mark this document as Plaintiff's Exhibit  
17 580.

18 (Plaintiff's Exhibit 580 was marked for  
19 identification.)

20 Q BY MS. TUCKER: Ms. Cole, this is a July 1st,  
21 2019 letter to you from Vickie Cleveland. The GaDOE logo  
22 is on the top. The Bates number on the bottom reads  
23 Elam-3-18-22-Supplement-3492.

24 Do you recognize this letter?

25 A Yes.

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1 Q Is this what you are referring to a moment ago?

2 A Yes.

3 Q Okay. So this is a 2019 letter, and it  
4 reflects GaDOE providing a 100 percent score to Elam  
5 Alexander Academy on the strategic plan, correct?

6 A Correct.

7 Q Okay. And then are you saying that when you  
8 receive 100 percent you are then not monitored for how  
9 long?

10 A I believe it was like three years.

11 Q Three years. So if this was in 2019 -- so  
12 that's for 2018 to 2019 school year?

13 A Correct.

14 Q Okay. So then when would you have been up to  
15 be re-reviewed?

16 A I believe it was last year.

17 Q Okay.

18 A Or the year before. I can't recall.

19 Q Okay. So either school year 2021 or school  
20 year '21/'22?

21 A Correct.

22 Q Were you reviewed through the strategic plan at  
23 any of those times?

24 A Not through that process because they pushed a  
25 lot of like the artifacts that they wanted into the grant

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1 process.

2 Q Okay. So do the artifacts, were those  
3 artifacts part of the grant process at any point before  
4 then?

5 A No.

6 Q So the grant process became longer?

7 A Last year, yes.

8 Q Okay. So is -- as it -- would you just say  
9 that they have like merged these two documents?

10 A I would say so, yes.

11 Q Okay. Were they on different timelines before?

12 A The strategic plan and the -- yes.

13 Q What were the timelines?

14 A So with the strategic plan, you -- they would  
15 monitor programs at different dates. So if -- mine was  
16 like in March, but I would just continuously upload --

17 Q Uh-huh.

18 A -- throughout the year.

19 Q Okay.

20 A And then it's much like the grant where you  
21 would sign off, and then they can review.

22 Q Okay. Let's speak to this year where you  
23 received the 100 percent.

24 A Okay.

25 Q What did that look like, that process look

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1 like?

2 A On my end?

3 Q Uh-huh.

4 A It was just gathering all of the artifacts I  
5 have to demonstrate or show that I have met that  
6 criteria.

7 Q Okay. And this is criteria set specifically by  
8 GaDOE?

9 A Yes.

10 Q Okay. Did it involve any meeting with GaDOE?

11 A They did some training on it about what kind of  
12 information they were looking for because it was, you  
13 know, the different parts of the strategic plan, and then  
14 how many artifacts they wanted for each.

15 Q And then for that year, was there a review  
16 meeting where you discussed your artifacts or any of your  
17 data with GaDOE?

18 A Yes.

19 Q Okay. What does that meeting look like?

20 A We would go through each section. We would  
21 look at what I have uploaded and how that met the  
22 criteria, any additional information they may want to  
23 see, that kind of thing.

24 Q Okay. And how long would those meetings last?

25 A A couple of hours.



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1 Q A couple of hours. Were they in person?

2 A The first time that I was -- I was, yes, it was  
3 in person. The second time was not. It was virtual.

4 Q Okay. And would that second time be this  
5 2018/'19 where you received 100 percent?

6 A Correct.

7 Q Okay. If you had received lower than 100  
8 percent, would you have been re-reviewed the next year?

9 A Correct.

10 Q Is that if you receive a 99, or was there a  
11 different cutoff?

12 A I forgot where they were, but I think it was  
13 below a certain percentage. I can't remember if it was  
14 90 percent, 85 percent. I can't remember what the cutoff  
15 was, but if you did not meet a certain level of practice,  
16 then you would be reviewed more frequently, monitored  
17 more frequently.

18 Q I understand.

19 And then prior to this 2019 100 percent rating,  
20 how often were you reviewed under the strategic plan?

21 A Yearly.

22 Q Yearly. Was -- had you reached 100 percent  
23 before?

24 A No, but I was close. I think I was in the 80s  
25 the time prior, like 88. I can't recall.

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1 Q Okay. Is this -- was this 100 percent rule  
2 that you would only be reviewed every three years new, or  
3 was that always in existence since you have been  
4 director?

5 A I think it was new that year.

6 Q Okay. So prior to 2018/'19, it was an annual  
7 artifact requirement plan review?

8 A Correct.

9 Q And there was a meeting associated with it?

10 A Correct.

11 Q Do you know the reason for changing or have  
12 you -- scratch that.

13 Have you been advised on the reason for  
14 changing the strategic plan?

15 A No, nothing more than they can include that  
16 into the grant because that's -- we can upload artifacts  
17 there as well.

18 Q Okay. And I see that you received 100 percent  
19 last time, so that's -- that's obviously a great score.

20 A Yes.

21 Q And before that you said you received an 88  
22 percent?

23 A I believe it was in the high 80s, low 90s.

24 Q Okay. What type of consequence was there for  
25 not receiving 100 percent?

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1           A    I don't know if there's a consequence, per se.  
2   I mean, you were just closely monitored if you scored  
3   below a certain level, I think. I want to say there  
4   was -- like you were monitored more frequently.

5           Q    Did that happen for you at that 88 or 90  
6   percent mark?

7           A    No.

8           Q    Okay. So it was lower than that?

9           A    Yes.

10          Q    Do you know, have you been advised on any  
11   consequences if there was, you know, a rating under 75  
12   percent? Was that discussed with you and the directors?

13          A    Not that I can remember.

14          Q    Okay. Have you been a member of the strategic  
15   plan committee?

16          A    I don't think I was.

17          Q    Okay.

18          A    But I don't remember.

19          Q    Okay.

20          A    I think we've had conversations about what kind  
21   of artifacts meet.

22          Q    Uh-huh.

23          A    What kind of artifacts are necessary to meet  
24   that, but I don't -- I don't know if I was a part of a  
25   committee.

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1 Q Okay. You don't recall a committee?

2 A I don't.

3 Q Okay.

4 A Maybe. I don't know.

5 Q It's okay.

6 So after 2019, you were not to be reviewed for  
7 three years, and then that is now passed, correct?

8 A Correct.

9 Q And they are no longer doing the separate  
10 strategic -- "they" being GaDOE, are no longer doing the  
11 strategic plan in the same fashion?

12 A Correct.

13 Q Okay. So it's all a part of the grant  
14 application?

15 A Yes.

16 Q Thank you.

17 What are your thoughts on the merging of the  
18 two documents?

19 A I think it's fine.

20 Q Okay.

21 A I mean, there was a -- you upload a lot of the  
22 same information, so...

23 Q Is there anything that was maintained in the  
24 strategic plan that you had to collect that's not  
25 included in the grant app?

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1 A Sure. So like I would have evidence of  
2 trainings.

3 Q Uh-huh.

4 A Things to that nature. But now I upload it  
5 through the grant app, since they have merged.

6 Q Okay. So the artifacts that you were uploading  
7 are now uploaded through the grant app?

8 A Correct.

9 Q Thank you.

10 A Yes.

11 Q Earlier you had mentioned that you are working  
12 toward decreasing your GAA student population; is that  
13 correct?

14 A Yes.

15 Q Is that still something you are looking to do?

16 A Yes.

17 Q Okay. What is your vision for the GAA students  
18 in the Elam Alexander Academy in the future?

19 A How I would see us pushing out --

20 Q Yes.

21 A -- or reintegrating?

22 So I have started the conversations with  
23 special ed directors regarding specific students that we  
24 need to talk about reintegrating. I would like to see  
25 classes much like what I have, I think housed in -- in

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1 the gen ed setting. We certainly could continue to  
2 support with training and things of that nature if -- if  
3 they would -- if they would like that, but that's what I  
4 would like to see.

5 Q And you are referring to GAA classes that are  
6 housed in the satellite programs?

7 A No. I'm talking about the ones that are housed  
8 at Burke.

9 Q At Burke?

10 A Need to be pushed out to the schools.

11 Q Understood.

12 A Yes.

13 Q So the classrooms housed at Burke, you would  
14 like them at -- as if they were a satellite classroom?

15 A Sure. They could either be satellite  
16 classrooms under our supervision or under theirs. I  
17 mean, we could -- we could do that collaboratively and  
18 provide training and talk about best practices.

19 Q "Theirs" being the school district?

20 A Yes.

21 Q Okay. And that's your thought for the future  
22 of the GAA classrooms?

23 A Yes.

24 Q Thank you.

25 What is your timeline?

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1           A    So I started this a few years back and we've  
2    had, you know, a substantial decrease. I reached out to  
3    special ed directors in August, provided them with  
4    specific names of students --

5           Q    Uh-huh.

6           A    -- and told them we need to start having the  
7    conversation, have meetings by January so that we can  
8    start the reintegration, because my heart really goes out  
9    for the kids on that because they are so accustomed to a  
10   certain setting, and I feel like it needs to be a very  
11   slow transition, because that's going to be a difficult  
12   thing for these kids and their families. So I feel like  
13   we need to have meetings by spring and start them having  
14   services in their zone school in spring.

15          Q    This spring?

16          A    Yes.

17          Q    Okay. And then by next school year?

18          A    Be completely integrated in their school  
19   setting.

20          Q    Okay. Has that been communicated to the  
21   districts?

22          A    Yes.

23          Q    Okay.

24          A    Yes.

25          Q    What about your Milestones program? What is

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1 your vision for that in the future?

2 A So I would like to see more classes out and  
3 less in.

4 Q Uh-huh.

5 A But I would also like to see in certain  
6 districts, so if I have -- I would like to see like two  
7 of my classes at elementary -- say I have two elementary  
8 and BIP, then they should have two elementary as well. I  
9 would like to see them where they can collaborate and  
10 grow together, so push more classes out into their zone  
11 schools and less in.

12 Q So increased amount of classes for these  
13 students who are Milestone students in Elam Alexander in  
14 their zone schools?

15 A Correct.

16 Q Okay. Do you have any other visions for Elam  
17 Alexander Academy or goals in the next few years?

18 A Sure. So I think that we can -- like I said I  
19 think seven hours ago, that we are a -- a service, not a  
20 placement. I feel like we could provide more  
21 professional development, guidance, more hands on in the  
22 actual schools with those teachers, with the principals,  
23 whomever it may be, work with families, really be more in  
24 the schools.

25 Q Okay. And has that been communicated?



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1 A Yes.

2 Q Okay. To who?

3 A My assistant superintendent.

4 MS. TUCKER: Okay. I believe that's all the  
5 questions I have right now, Ms. Cole.

6 THE WITNESS: Okay.

7 MS. TUCKER: Thank you.

8 THE WITNESS: Thank you.

9 MS. TUCKER: I believe the State is on and  
10 they...

11

12 EXAMINATION

13 BY MR. PICO-PRATS:

14 Q Hi, Ms. Cole. How are you?

15 A I'm good. How are you?

16 Q Good.

17 Sorry I surprised you from the computer.

18 A That's okay. I thought you-all were just  
19 silent partners over there. I didn't know.

20 Q I don't have very many questions. I will be --  
21 I will be very brief. I should take maybe ten minutes.

22 A Okay.

23 Q I know it's been a long day.

24 Are you all ready to continue right now or do  
25 you want a short break?

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1 A Please continue.

2 Q You talked a little bit about IEPs today. Who  
3 all comprises -- what all -- who all are the members of  
4 an IEP team?

5 A So the LEA, one of our coordinators, the  
6 teacher, the student, the parent, if the parent invites  
7 any outside services.

8 Q Is the Georgia DOE ever a part of an IEP team?

9 A No.

10 Q Is anyone from the State ever part of an IEP  
11 team?

12 A Only if it's a State-facilitated IEP, but  
13 that's a --

14 Q What are those?

15 A That's a neutral party.

16 So they're -- that's not like a member of the  
17 IEP team.

18 Q Okay. Could you explain what that is?

19 A So if they -- if they think there is going to  
20 be some contention between anyone, they may -- the LEA  
21 may request the State-facilitated IEP. And that's when  
22 someone that's from or contracted with DOE -- I don't  
23 know how that works, but I know they come down. They set  
24 the parameters, and they facilitate the IEP and make sure  
25 everyone is kind of following the rules and using their

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1 best behavior.

2 Q And the County is the one that requests that?

3 A Correct.

4 Q You talked a little bit about bus rides, and  
5 you said students -- some of your students, they ride the  
6 buses, right? Is that correct?

7 A They do.

8 Q And who coordinates the bus schedules?

9 A Transportation departments.

10 Q And the transportation departments are from the  
11 County?

12 A Correct. That falls under the LEA.

13 Q Are they also paid by the LEAs?

14 A Yes.

15 Q There was some discussion over an e-mail where  
16 you requested an additional psychologist. Do you  
17 remember this?

18 A Yes.

19 Q And you said it ended up not happening. And  
20 the question is, have there ever been any other requests  
21 for additional GNETS service personnel that you have had?

22 A No.

23 Q What ended up happening with that psychologist  
24 that you had requested?

25 A It didn't happen.

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1 Q If you need additional support staff, who do  
2 you turn to to ask for it?

3 A My LEAs.

4 MR. PICO-PRATS: All right. That's all the  
5 questions that I have.

6 THE WITNESS: All right. Thank you.

7 MR. PICO-PRATS: Thank you very much.

8 MS. TUCKER: Thank you so much, Ms. Cole.

9 THE WITNESS: Thank you.

10 THE VIDEOGRAPHER: This concludes this video  
11 deposition. The time is 6:01 p.m., and we are off the  
12 record.

13 (The deposition concluded at 6:01 p.m.)  
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## CERTIFICATE OF REPORTER

STATE OF GEORGIA       )  
                                  )  
COUNTY OF DEKALB     )

I, Marcella Daughtry, a Certified Reporter in the State of Georgia and State of California, do hereby certify that the foregoing deposition was taken before me in the County of DeKalb, State of Georgia; that an oath or affirmation was duly administered to the witness, BROOKE COLE; that the questions propounded to the witness and the answers of the witness thereto were taken down by me in shorthand and thereafter reduced to typewriting; that the transcript is a full, true and accurate record of the proceeding, all done to the best of my skill and ability;

The witness herein, BROOKE COLE, has requested signature.

I FURTHER CERTIFY that I am in no way related to any of the parties nor am I in any way interested in the outcome hereof.

IN WITNESS WHEREOF, I have set my hand in my office in the County of DeKalb, State of Georgia, this 8th day of November, 2022.



Marcella Daughtry, RPR, RMR  
GA License No. 6595-1471-3597-5424  
California CSR No. 14315

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3 DECLARATION UNDER PENALTY OF PERJURY

5 I declare under penalty of perjury that I  
6 have read the entire transcript of my deposition taken in  
7 the above-captioned matter or the same has been read to  
8 me, and the same is true and accurate, save and except  
9 for changes and/or corrections, if any, as indicated by  
10 me on the DEPOSITION ERRATA SHEET hereof, with the  
11 understanding that I offer these changes as if still  
12 under oath.

14 Signed on the \_\_\_\_\_ day  
15 of \_\_\_\_\_ 20\_\_.

19 \_\_\_\_\_  
20 BROOKE COLE

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Signature: \_\_\_\_\_



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BROOKE COLE

Signature: \_\_\_\_\_



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